

GOVERNMENT EXHIBIT 7

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

IN RE: GRAND JURY PROCEEDINGS

Videotaped deposition of EDWIN RODRIGUEZ, a
Witness herein, taken on behalf of the United
States Attorney, on MONDAY, OCTOBER 5, 2009, 11:10
A.M., at 1403 Warwick Avenue, Apartment No. 339,
Warwick, Rhode Island, before Vivian S. Dafoulas,
Registered Merit Reporter/Certified Realtime
Reporter.

CONDENSED COPY

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 RAYMOUR RADHAKRISHNAN
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1 VIDEOGRAPHER: We are now recording and
 2 on the record.
 3 My name is Odi Jin Wong and I'm a legal
 4 video specialist for National Video Reporters,
 5 Inc.
 6 Today is October 15th, 2009 -- sorry,
 7 October 15 -- October 5, 2009 and the time is
 8 11:10 a.m.
 9 This is the deposition of Edwin
 10 Rodriguez in the matter of In Re Grand Jury
 11 Proceedings.
 12 This deposition is being taken at the
 13 residence of Edwin Rodriguez at 1403 Warwick
 14 Avenue, Warwick, Rhode Island.
 15 The court reporter is Vivian Dafoulas.
 16 Counsel, please state your appearances
 17 for the record and the court reporter will then
 18 administer the oath.
 19 MR. VILKER: Lee Vilker, Assistant
 20 United States Attorney for the Government.
 21 MR. McADAMS: John McAdams, Assistant
 22 United States Attorney also for the Government.
 23 MR. TRAINI: Anthony Traini for [REDACTED]
 24 [REDACTED]
 25 MR. FLANDERS: Robert Flanders for

1 Joseph Caramadre.
 2 MR. MacFADYEN: John MacFadyen for
 3 [REDACTED]
 4 MR. PINE: Jeffrey Pine for Raymour
 5 Radhakrishnan.
 6 MR. RADHAKRISHNAN: Raymour
 7 Radhakrishnan.
 8 MR. CARAMADRE: Joseph Caramadre.
 9 MR. FLANDERS: Let's record that Agent
 10 McDaid is also here.
 11 EDWIN RODRIGUEZ,
 12 having been first duly sworn, was deposed and
 13 testified as follows:
 14 COURT REPORTER: Would you state your
 15 name, please.
 16 THE WITNESS: Edwin Rodriguez.
 17 COURT REPORTER: Please spell your last
 18 name.
 19 THE WITNESS: R-O-D-R-I-G-U-E-Z.
 20 MR. TRAINI: Before we begin the
 21 testimony, the -- the objectors would like to
 22 place on the record some objections to the
 23 deposition.
 24 First of all, we can, I think,
 25 incorporate by reference the objections that were

1 made at the deposition taken last week of Richard
 2 Wiley.
 3 MR. VILKER: Sure.
 4 MR. TRAINI: And those objections appear
 5 in the transcript of that deposition. We will
 6 incorporate those by reference.
 7 We will also provide to the court
 8 reporter another copy of the written objection
 9 that was made in the beginning of the Wiley
 10 proceeding so that it can be marked as an exhibit
 11 to the transcript of this deposition.
 12 Miss Dafoulas.
 13 (Whereupon, Exhibit A was marked.)
 14 MR. TRAINI: In addition to the written
 15 objection, we also incorporate by reference from
 16 the Wiley deposition the statements that we made
 17 at the commencement of that deposition relative to
 18 making objections in these depositions.
 19 That is, that we specifically reserved
 20 our rights to make all objections other than
 21 substantive objections -- I mean we reserve our
 22 rights to make our substantive objections at the
 23 time the deposition is offered as opposed to
 24 attempting to make all of them during the
 25 deposition; and that we would object as to form as

1 the deposition questions proceeded.
 2 Also with respect to -- at least with
 3 respect to [REDACTED] and [REDACTED] -- I
 4 haven't asked Mr. Pine and Mr. Flanders about this
 5 as to their clients -- we also lodge a general
 6 objection to the entire deposition on relevancy
 7 grounds because the discovery information that
 8 we've been provided thus far does not indicate any
 9 connection with either of our clients, and until
 10 the matter is connected, we object on relevancy
 11 grounds but we will not object to every single
 12 question and state that it's irrelevant because
 13 that will unnecessarily delay the taking of the --
 14 of the deposition.
 15 And we also will lodge now a standing
 16 Petrozziello objection to any testimony by
 17 Mr. Rodriguez that relates to conversations that
 18 he had with anyone other than our clients, on
 19 Petrozziello grounds, without having to make them
 20 every single time there is a statement made
 21 because that will also unnecessarily delay the
 22 deposition, and considering the conditions under
 23 which this deposition is being taken, we are
 24 trying to not inconvenience Mr. Rodriguez or the
 25 other people present.

1 So I think that's our objections unless
 2 somebody wants to add something else.
 3 MR. FLANDERS: I would just join in on
 4 behalf of Mr. Caramadre to the Petrozziello
 5 objection.
 6 MR. PINE: I would join that also on
 7 behalf of Mr. Radhakrishnan.
 8 MR. MacFADYEN: And I would just -- I
 9 would like to add one thing for the record that we
 10 had an agreement with the government in the last
 11 deposition that an objection lodged by one counsel
 12 will be deemed to be lodged by all counsel and my
 13 understanding is that that procedure will be
 14 followed in this deposition as well.
 15 MR. VILKER: My only response -- my only
 16 response as to those is we -- we are in agreement
 17 that an objection by one counsel is preserved for
 18 all counsel, that you all don't need to be
 19 objecting to the same question.
 20 I do want to reiterate the position that
 21 we took before the Wiley deposition that we
 22 believe these are -- this is the equivalent of
 23 trial testimony, and if there is an objection, it
 24 should be stated so that the questioner has an
 25 opportunity to rephrase the question in case the

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1 question was, in fact, objectionable, and that
2 failure to object at this point, in the
3 government's view, will be waiving that objection.

4 I understand we have a disagreement on
5 that point and I think we both preserved that
6 point for the record. Are we ready to proceed?

7 EXAMINATION

8 BY MR. VILKER:

9 Q. Good morning, Mr. Rodriguez.

10 A. Good morning.

11 Q. Mr. Rodriguez, do you understand that
12 you are now under oath?

13 A. Yes.

14 Q. And that you have sworn to tell the
15 truth, the whole truth and nothing but the truth?

16 A. Yes.

17 Q. Mr. Rodriguez, my name is Lee Vilker;
18 I'm an attorney for the government, and the way
19 this is going to work today is I'm going to be
20 asking you a series of questions and once I've
21 completed my questions, each of -- each of the
22 attorneys present have -- will have an opportunity
23 to examine you.

24 I will sit here while I'm asking you
25 questions and then I anticipate switching seats

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1 general terms what your medical condition is now?

2 A. Right now I have osteomyelitis. It's on
3 the hip, and it eats your bone little by little,
4 so it already ate my hip. It's already in the
5 pelvis. So it eats your bone and then it gets to
6 your spine and kills you.

7 Q. Now, was there an event that happened in
8 your life that triggered this illness?

9 A. Yes. I fell and trying to climb back to
10 the wheelchair, I did a split and my joint popped
11 out.

12 Q. Okay. And was there a time in which you
13 were injured by way of a gunshot?

14 A. Yes. I'm paralyzed because I was
15 carjacked and shot in Providence.

16 Q. And when did that happen?

17 A. 1994.

18 Q. Now, is it myelitis or osteomyelitis?

19 A. Osteomyelitis.

20 Q. Do you know how far the osteomyelitis
21 has progressed?

22 A. The last time it was in the pelvis.

23 Q. And has any -- any doctors given you any
24 kind of prognosis of how much longer you have to
25 live?

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1 with -- with whoever the next lawyer is asking
2 questions.

3 A. Uh-hum.

4 Q. We are in your house and we appreciate
5 you hosting us here. If there is any time that
6 you need a break, that you want to have some
7 lunch, that you need to go to the bathroom, that
8 you want to take a rest, just let us know. We --
9 we are here, we want to inconvenience you as
10 little as possible.

11 Mr. Rodriguez, how old are you?

12 A. I'm thirty-three.

13 Q. Okay. And what's your current address?

14 A. 1403 Warwick Ave.

15 Q. Okay. Do you have any children?

16 A. Yes.

17 Q. How many children do you have?

18 A. One.

19 Q. And is it a boy or a girl?

20 A. A girl.

21 Q. And what's her name?

22 A. Luz Beth. L-U-Z, B-E-T-H.

23 Q. And how old is Luz Beth?

24 A. She's 16.

25 Q. Now, could you just describe to us in

Page 13

1 MR. FLANDERS: Objection.

2 MR. VILKER: You can answer the
3 question.

4 A. It was six months to three years.

5 Q. And when did you get this prognosis?

6 MR. FLANDERS: Objection.

7 A. It was 2007, late 2007.

8 Q. Now, are you on any kind of medication
9 now?

10 A. Yes.

11 Q. What kinds of medications are you on?

12 A. I got a list over there, if you want to

13 get it.

14 Q. Do you know what the medication is for?

15 A. Yes. For bladder. Right now I'm in a
16 lot of pain so I get Dilaudid all the time to my
17 chest and --

18 Q. Okay.

19 A. -- and a lot of other medication but
20 they're just for spasms.

21 Q. Okay. Do any of the medications you are
22 taking affect your ability to understand what I'm
23 asking you?

24 A. No.

25 Q. Do you understand what's -- what's going

Page 14

1 on here today?
 2 A. Yes.
 3 Q. Now, at any time during your illness,
 4 was there a time in which you were under the care
 5 of a hospice?
 6 A. Yes.
 7 Q. And approximately when was that?
 8 A. Early 2008.
 9 Q. And do you recall the name of the
 10 hospice?
 11 A. Rhode Island Hospice.
 12 Q. And where -- were you -- were you living
 13 at the hospice?
 14 A. Sometimes when I used to get sick, and
 15 then I used to go back home.
 16 Q. Okay. And you've now been released from
 17 the hospice?
 18 A. Yes.
 19 Q. Now, do you know a woman named Joni
 20 Fortin?
 21 A. Yes, I do.
 22 Q. And how do you know Ms. Fortin?
 23 A. She's a social worker from hospice.
 24 Q. And what role did Miss Fortin have in
 25 taking -- helping to take care of you?

Page 15

1 A. A social worker just advocating for me
 2 and helping me out in any way she could.
 3 Q. Now, did there come a time in which
 4 Ms. Fortin raised with you the possibility of you
 5 getting some money?
 6 A. Yes.
 7 Q. What, if anything, did Ms. Fortin say to
 8 you about a way in which you could get some money?
 9 MR. TRAINI: Objection.
 10 MR. VILKER: You can answer.
 11 A. She said that there is a Raymond, that
 12 he comes -- he's -- he works for a wealthy other
 13 individual and that they help everybody out at
 14 hospice with some kind of money --
 15 Q. Okay.
 16 A. -- and the funeral expenses or
 17 something, the funeral expenses.
 18 Q. And you -- was this -- did she have this
 19 conversation with you when you were staying at the
 20 hospice?
 21 A. Yes.
 22 Q. And this was at the beginning of 2008?
 23 A. Yes.
 24 Q. Now, what, if anything, did Miss Fortin
 25 say to you concerning what you needed to do to get

Page 16

1 any money from this wealthy individual?
 2 MR. PINE: Objection.
 3 A. Just to -- to meet with the person that
 4 is working for Raymond.
 5 Q. And how did you respond to what
 6 Miss Fortin told you?
 7 A. Well, at the time it sounded okay
 8 because it was money and then to -- to -- for the
 9 funeral expenses.
 10 Q. Okay.
 11 A. So at the time we thought I was going to
 12 die quickly and so I -- I was like, okay.
 13 Q. And did you give any instructions to --
 14 to Miss Fortin?
 15 A. No. She said that he -- he'll -- he'll
 16 be coming by. She'll call him.
 17 Q. Now, I'd like you to look on the couch,
 18 and the person sitting closest to you, and if you
 19 could just take a look, and ask if you recognize
 20 that individual.
 21 A. Yes.
 22 Q. And who is he?
 23 A. Raymond.
 24 Q. Did you know his name to be Raymond or
 25 Raymour?

Page 17

1 A. Raymour or Raymond.
 2 Q. You knew him to be Raymour?
 3 A. Raymour or Raymond sometimes.
 4 Q. And did you meet with him on a number of
 5 occasions?
 6 A. Yes.
 7 MR. VILKER: If the record could reflect
 8 that the witness has identified Raymour
 9 Radhakrishnan as the individual he met with.
 10 Q. Okay. Now, do you remember the first
 11 time in which you met with -- who I will refer
 12 from this point on as Raymour?
 13 A. Okay.
 14 Q. Do you remember the first time?
 15 A. Yes.
 16 Q. And when was that first time?
 17 A. It was early 2007 -- I mean 2008.
 18 Q. And where did that meeting take place?
 19 A. I believe it was in my house, the last
 20 house I used to live in.
 21 Q. And what house was that?
 22 A. 17 Euclid Ave.
 23 Q. In Warwick?
 24 A. Yes.
 25 Q. Now, other than yourself and Raymour,

Page 18

1 was there anybody else there that day?
 2 A. Yes. My brother.
 3 Q. And what's your brother's name?
 4 A. Melvin Rodriguez.
 5 Q. And was anybody else connected to Melvin
 6 there as well?
 7 A. Yes. His girlfriend Amy.
 8 Q. So it was you, Raymour, your brother
 9 Melvin and his girlfriend Amy at that first
 10 meeting?
 11 A. Yes.
 12 Q. Now, what do you recall, if anything,
 13 Raymour saying during this meeting?
 14 MR. MacFADYEN: Objection.
 15 Petrozziello.
 16 MR. TRAINI: Objection.
 17 MR. PINE: Objection.
 18 MR. VILKER: You can answer.
 19 A. Raymond?
 20 Q. Raymour.
 21 A. Raymour. I'm sorry. He showed me some
 22 papers to sign and he said that that was for the
 23 money and the -- the funeral expenses.
 24 Q. Now, what, if anything, did Raymour say
 25 about the individual he worked for?

Page 20

1 were getting that \$2000?
 2 MR. FLANDERS: Objection.
 3 MR. MacFADYEN: Same objection.
 4 A. Because the -- the gentleman he was
 5 working for was a wealthy man and he was trying to
 6 help people out.
 7 Q. Now, during that first meeting, did you
 8 get any money from Raymour?
 9 A. No.
 10 Q. Did you get a check from Raymour?
 11 MR. PINE: Objection. Leading.
 12 A. After.
 13 Q. Did there come a time in which you
 14 received some payment from Raymour?
 15 A. Yes.
 16 Q. When was that time?
 17 A. About a month later when I saw him.
 18 Q. Now, during that first meeting, what, if
 19 anything, did Raymour say to you about any
 20 documents you needed to sign?
 21 MR. MacFADYEN: Objection.
 22 A. He said I need to sign --
 23 MR. MacFADYEN: Petrozziello.
 24 MR. VILKER: Go ahead.
 25 A. I need to sign some papers for the

Page 19

1 MR. MacFADYEN: Same objection.
 2 A. He said that he was a wealthy man and he
 3 liked helping people out so he was helping
 4 everybody at hospice.
 5 Q. Now, did -- did Raymour mention that
 6 individual's name?
 7 MR. FLANDERS: Objection.
 8 MR. MacFADYEN: Same objection.
 9 A. Yes.
 10 Q. And what did he say this individual's --
 11 individual's name was?
 12 MR. FLANDERS: Objection.
 13 MR. MacFADYEN: Same objection.
 14 A. Caramora, Caramora (phonetic) I think it
 15 was.
 16 Q. Now, during this meeting, was there any
 17 discussion about the amount of money that you
 18 would be receiving?
 19 MR. MacFADYEN: Same objection.
 20 A. It was he said about probably 2000 or
 21 so, something like that.
 22 Q. Now -- and I know you partially answered
 23 this question but just to make sure I have the
 24 full answer, during this first meeting, what, if
 25 anything, did Raymour say was the reason why you

Page 21

1 funeral expenses and to see if I -- I'm legible
 2 (sic) for the money.
 3 MR. VILKER: Okay.
 4 MR. FLANDERS: What was -- what was that
 5 last word?
 6 THE WITNESS: If I was elig... for the
 7 money.
 8 MR. FLANDERS: If he was --
 9 MR. VILKER: Eligible for the money.
 10 Q. And did Raymour have those documents
 11 with him during that first -- first time?
 12 A. Yes.
 13 Q. And did you -- did you sign a number of
 14 documents?
 15 A. Yes.
 16 Q. Do you remember today approximately how
 17 many documents you signed that day?
 18 A. Like I say, around six.
 19 Q. Now, approximately how much time did you
 20 spend looking over these documents before you
 21 signed them?
 22 A. Not very much -- a lot. He showed me
 23 one paper that said the \$2000 and something about
 24 the funeral expenses and then all the other papers
 25 were about that same thing to sign them.

Page 22

1 Q. Okay. Did you read through the -- the
2 documents after the one that mentioned the \$2000,
3 did you read through those documents?
4 A. No.
5 Q. Did Raymour read any of those documents
6 to you?
7 A. No. He just explained that it was for
8 the money.
9 Q. Are you an attorney, Mr. Rodriguez?
10 A. No.
11 Q. Did you -- did you have any legal
12 training?
13 A. No.
14 Q. Did you ask a lawyer to review the
15 documents that you were reading before you signed
16 them?
17 A. No.
18 Q. Why didn't you?
19 A. It seemed like a good deal and he seemed
20 like a really nice guy, so...
21 Q. Did -- you mentioned your brother Melvin
22 was there --
23 A. Yes.
24 Q. -- during the first meeting? Did Melvin
25 review those documents before you signed them?

Page 24

1 A. No.
2 Q. I'd like to show you what's been
3 marked -- premarked as Government's Exhibit 1.
4 Are you able to hold it?
5 A. Yes.
6 Q. Now, Mr. Rodriguez, did you -- does this
7 document look familiar to you?
8 A. Yes, it does.
9 Q. Is this one of the documents that
10 Raymour gave you to -- to sign that day --
11 A. Yes, he did.
12 Q. -- or to look at that day?
13 A. Yes.
14 Q. Do you see a name, a signature under --
15 above the word "Recipient"?
16 A. Yes.
17 Q. Whose name is that?
18 A. Melvin Rodriguez.
19 Q. And do you see where it says, "Brother"?
20 A. Yes.
21 Q. Because he's your brother?
22 A. Yes.
23 Q. So you -- you weren't the person that
24 signed this document?
25 A. No.

Page 23

1 A. No.
2 Q. Did you ask him to review those
3 documents?
4 A. No.
5 Q. Did his girlfriend Amy review those
6 documents?
7 MR. PINE: Objection.
8 A. No.
9 Q. Did you -- putting aside the first
10 document that I will show you in a minute that
11 mentioned the \$2000, did you understand the terms
12 of any of the other documents you were signing?
13 A. No. He just said that it was all about
14 the money and the funeral expenses --
15 Q. Okay.
16 A. -- that I needed to sign some papers.
17 Q. And did you go ahead and sign the
18 documents?
19 A. Yes, I did.
20 Q. After you signed these documents, did
21 Raymour provide you with a copy of any of the
22 documents you signed?
23 A. No.
24 Q. And do you have in your possession any
25 of the documents that you signed that day?

Page 25

1 Q. But you did receive it --
2 A. Yes.
3 Q. -- and review it? Do you recall --
4 A. Because I didn't have a bank account. I
5 believe it was my brother that was -- that was
6 going to be on the check under his name.
7 Q. Okay. Now, what, if anything, do you
8 recall Raymour saying to you about this particular
9 document?
10 MR. MacFADYEN: Objection.
11 Petrozziello.
12 MR. VILKER: You can go ahead.
13 A. He just showed me received \$2000 from
14 philanthropy program and I read it and it sounded
15 okay.
16 Q. Now, was this document, Exhibit 1,
17 presented to you before or after any of the other
18 documents you were asked to sign?
19 MR. FLANDERS: Objection.
20 A. No, it was -- all the papers were
21 together.
22 Q. Okay. But do you recall the order of
23 the papers? Was this --
24 A. This is the first one.
25 Q. So it's your recollection that this was

7 (Pages 22 to 25)

1 the first document that Raymour gave you?
 2 MR. FLANDERS: Objection.
 3 A. Yes.
 4 Q. Let me ask it another way then. What's
 5 your recollection in terms of the order of
 6 documents that you were given?
 7 A. This was the first one.
 8 Q. Now, I want to show you now -- I'll take
 9 the original back from you -- Government Exhibit
 10 2.
 11 Let me just one more thing before -- on
 12 Exhibit 1. Does Exhibit 1 have a date on it?
 13 A. Yes.
 14 Q. Okay. What's the date on Exhibit 1?
 15 A. The 26th of February.
 16 Q. Of what year?
 17 A. '08.
 18 Q. And does that appear to be the date that
 19 Raymour came --
 20 A. Yes.
 21 Q. -- and met with you?
 22 A. Yes.
 23 Q. I'd like to show you Government Exhibit
 24 2.
 25 A. Okay.

1 MR. TRAINI: Objection.
 2 Q. Now, after the first meeting you had
 3 with Raymour that you testified was on
 4 February 26th of 2008 --
 5 MR. FLANDERS: February 26th did you
 6 say?
 7 MR. VILKER: Yes.
 8 Q. -- did you have any subsequent meetings
 9 with Raymour?
 10 A. No. When I received this money, I was
 11 in the hospital and he showed up and visited me.
 12 Q. Okay.
 13 A. And he gave -- he gave -- he talked to
 14 me. He said you received --
 15 MR. TRAINI: Objection. Petrozziello.
 16 A. -- the money.
 17 MR. VILKER: You can proceed.
 18 A. Have you received the money? I was,
 19 yes. And that the -- the funeral expenses are
 20 paid. And he gave me a -- I believe it was like
 21 550 cash.
 22 Q. Okay. So there was a -- there was a
 23 second meeting that you had with him?
 24 A. Yes.
 25 MR. TRAINI: Objection.

1 Q. Do you recognize that document,
 2 Mr. Rodriguez?
 3 A. Yes. This is the copy of the check that
 4 I received.
 5 Q. Okay. And what is the date on that
 6 check?
 7 MR. TRAINI: Objection.
 8 A. 2/26/2008.
 9 Q. And what is the amount of the check?
 10 MR. TRAINI: Objection.
 11 A. \$2,000.
 12 Q. And who is this check given to?
 13 MR. TRAINI: Objection.
 14 A. It was, I believe, mailed to my brother.
 15 Q. Okay. And do you know why it was sent
 16 to your brother instead of to you?
 17 MR. TRAINI: Objection.
 18 A. Because he had a bank account and I
 19 didn't.
 20 Q. Did you tell Raymour that you did not
 21 have a bank account?
 22 A. Yes.
 23 Q. Okay. And, again, the date is
 24 February 26th of 2008?
 25 A. Yes.

1 Q. Approximately how much time had passed
 2 between the first meeting in which you signed
 3 the -- the various documents and the second time
 4 where Raymour came to the hospital?
 5 A. Like I say, a month and a couple of
 6 weeks.
 7 Q. Okay. Now, in addition to Exhibit 1
 8 that -- that you've already looked at, did Raymour
 9 give you any other documents for you to sign that
 10 day?
 11 A. Yes.
 12 Q. Now, what, if anything, did Raymour say
 13 to you was the purpose of the other documents he
 14 was asking you to sign?
 15 A. It was for --
 16 MR. TRAINI: Objection.
 17 MR. PINE: Objection.
 18 MR. MacFADYEN: Objection.
 19 A. It was for the money and for the funeral
 20 expenses.
 21 Q. And when you say for the money, what do
 22 you mean?
 23 A. For the \$2000 --
 24 Q. Okay.
 25 A. -- and for the funeral expenses.

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1 Q. Okay. Now, I'd like to show you -- I
2 can take that back -- what's been marked as
3 Government Exhibit 3. On the top of this page, do
4 you see the language "Agreement and
5 Acknowledgement"?

6 A. Yes.

7 Q. Okay. If you can turn to the final page
8 of this agreement, the third page --

9 A. Yes.

10 Q. -- do you see your signature?

11 A. Yes.

12 Q. So you signed this form?

13 A. Yes, I did.

14 Q. Does it have a date on which you -- is
15 written that you signed it?

16 A. I never put the date but it says 4
17 March, 4 of March.

18 Q. Do you recall meeting with Raymour on
19 March 4th of 2008?

20 A. No.

21 Q. Now, if you can turn back to the first
22 page and take a look at both the first page and
23 the second page, do you see your signature
24 anywhere on the first or second page?

25 A. No, I really don't. Where?

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1 Q. Do you see your handwriting anywhere on
2 the first or second page of this document?

3 A. No.

4 Q. Okay. Do you know whether you were ever
5 shown the first or second page of this document?

6 A. No.

7 Q. You don't know or you were not shown?

8 A. I'm not sure.

9 Q. You're not sure?

10 A. No. I don't think I've seen this.

11 MR. PINE: I'm sorry. I didn't hear
12 that.

13 A. I don't think I seen this.

14 Q. You don't think you've seen the first
15 two pages of this document?

16 MR. FLANDERS: Objection.

17 A. No.

18 Q. Now, the -- the first paragraph, the
19 first line says, "Brokerage Account."

20 A. Okay.

21 Q. What, if anything, did Raymour say to
22 you when you signed this -- the third page of this
23 document about any kind of brokerage account?

24 MR. MacFADYEN: Objection.

25 Petrozziello.

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1 MR. TRAINI: Objection.

2 MR. PINE: Objection.

3 A. No, he said nothing about no brokerage
4 account.

5 Q. Do you recall ever reading any words
6 that said brokerage account?

7 A. No.

8 Q. Now, the first -- if you could just look
9 at the first paragraph of that?

10 A. Okay.

11 Q. It says that "This agreement and
12 acknowledgement is made and entered as of the 4th
13 day of March, 2008, by and between Joseph
14 Caramadre," an individual with an address," in
15 Cranston, "or the funds provider, and Edwin
16 Rodriguez, an individual with an address of 17
17 Euclid Ave in Warwick, Rhode Island"?

18 A. Yes.

19 Q. What, if anything, did you know about
20 entering into any agreements with an individual by
21 the name of Joseph Caramadre?

22 A. None. I just knew that he said he was a
23 lawyer, Raymour, and -- but he worked for
24 Joseph --

25 Q. Okay.

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1 A. -- but -- and that was -- that was it.

2 Q. Okay. Did you understand, at any point
3 in time, that you were entering into any kind of
4 agreement with Joseph Caramadre?

5 MR. PINE: Objection.

6 A. No.

7 MR. PINE: Leading.

8 A. No.

9 Q. Well, what understanding, if any, did
10 you have as to whether you were entering into an
11 agreement with Joseph Caramadre?

12 MR. TRAINI: Objection.

13 MR. PINE: Objection.

14 A. None.

15 Q. Now, Paragraph No. 1, states: "The
16 funds provider and the co-owner are joint tenants
17 with rights of survivorship in the
18 above-referenced brokerage account."

19 Do you know what the term "joint tenants with
20 right of survivorship" means?

21 A. No. No.

22 Q. Did -- what, if anything, did Raymour
23 say to you about you becoming a joint tenant of
24 any kind?

25 A. None.

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1 MR. MacFADYEN: Objection.
 2 Petrozziello.
 3 A. None.
 4 Q. He didn't say anything to you about
 5 that?
 6 A. No.
 7 Q. Did he say anything about having any --
 8 well, strike that.
 9 Did Raymour use the term "right of
 10 survivorship" with you?
 11 MR. MacFADYEN: Objection. Hearsay.
 12 Petrozziello.
 13 A. No.
 14 Q. Now, Paragraph No. 2 says: "In exchange
 15 for the co-owner's agreement to become a joint
 16 tenant in the account, the funds provider has paid
 17 the co-owner the sum of \$3500." Do you see that?
 18 A. Yes.
 19 Q. Was this amount -- did you ever see this
 20 amount written in at the time that you signed any
 21 of these documents?
 22 A. No.
 23 Q. Did you, in fact, receive \$3500 from
 24 Raymour on the date that you signed these forms?
 25 A. No.

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1 Q. How much did you receive?
 2 A. I received 2000, and then he came over
 3 at the hospital where I was sick again and he gave
 4 me 550 and he shook my hand and said good-bye.
 5 Q. So the total amount you ever received
 6 from Raymour was 2550?
 7 MR. TRAINI: Leading. Objection.
 8 A. No.
 9 Q. How much was the total amount that you
 10 received?
 11 A. I received then 250 the last time I saw
 12 him, cash, but it was to sign again the papers --
 13 Q. Okay.
 14 A. -- the same ones. Just to do it all
 15 over --
 16 Q. Okay.
 17 A. -- for the money.
 18 Q. Okay. So on how many -- just to be
 19 clear -- on how many different occasions did
 20 Raymour give you money?
 21 A. The check was to my brother. He gave me
 22 cash 550.
 23 Q. Okay.
 24 A. And then he gave me this -- this last
 25 time I saw him on 2009, he said to sign the papers

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1 all over again and it probably won't be as much as
 2 2000 but it will be some money again, and he gave
 3 me 250 in cash.
 4 Q. And that's all the amount that you got
 5 from him?
 6 A. Yes.
 7 Q. Now, if you look at Paragraph 7 --
 8 A. Okay.
 9 Q. -- the very last sentence, you see where
 10 it starts off "As a result," on the second line up
 11 from the bottom?
 12 A. Yes.
 13 Q. It reads: "As a result of this optional
 14 redemption feature, the securities could yield a
 15 substantial profit for the funds provider if the
 16 co-owner dies before the funds provider..." And
 17 it continues on to the next page. "...and the
 18 securities are in the account at the time of the
 19 co-owner's death."
 20 A. Yes.
 21 Q. Okay. As I read that to you now, do you
 22 understand what that means?
 23 A. I believe is for -- sounds like for
 24 money if I die.
 25 Q. Okay. Now, what, if anything, did

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1 Raymour say to you before you signed these
 2 documents about what -- about anyone being able to
 3 make any money upon your death?
 4 MR. MacFADYEN: Objection.
 5 A. None.
 6 MR. MacFADYEN: Petrozziello.
 7 A. None whatsoever.
 8 Q. Do you see the phrase "could yield a
 9 substantial profit"?
 10 A. What was that?
 11 Q. Do you see the bottom line where it
 12 says, "The securities could yield a substantial
 13 profit"?
 14 A. Yes.
 15 Q. What, if anything, did Raymour say to
 16 you about any profit whatsoever that could be made
 17 by Joseph Caramadre in this case?
 18 MR. MacFADYEN: Same objection.
 19 A. None.
 20 Q. What was the answer?
 21 A. None whatsoever.
 22 Q. Now, I'd like to show you what's been
 23 marked as Government Exhibit 4. Let me take that
 24 back. The front page of Exhibit 4 says,
 25 "Ameritrade Account Application." Do you see

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1 that?
 2 A. Yes.
 3 Q. Okay. Do you see your signature or
 4 handwriting anywhere on the first page of this
 5 document?
 6 A. No.
 7 Q. Now, if you flip to the next page,
 8 Page 2 of Exhibit 4 --
 9 A. Uh-hum.
 10 Q. -- do you see your signature?
 11 A. Yes.
 12 Q. And above your signature, do you see the
 13 signature of Joseph Caramadre?
 14 A. Yes.
 15 Q. Do you see next to your name a date?
 16 A. Yes.
 17 Q. It appears to be March 4th of 2008?
 18 A. Yes.
 19 Q. Is that your handwriting?
 20 A. No.
 21 Q. If you look at the date next to
 22 Mr. Caramadre's name, now it's 3-4-2008; does that
 23 appear to be your handwriting?
 24 A. No.
 25 Q. Did you sign this document --

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1 A. Yes.
 2 MR. VILKER: Okay. Let me finish.
 3 Q. Do you recall if you signed this
 4 document at the same time you signed the documents
 5 I previously gave you?
 6 A. Yes.
 7 Q. Okay. Now, if you look at Page 3 of
 8 this document, the final paragraph, do you again
 9 see your signature?
 10 A. Yes.
 11 Q. Okay. And do you see the date of --
 12 next to your signature 3/4/2008?
 13 A. Yes.
 14 Q. Is that your handwriting?
 15 A. No.
 16 Q. Do you see the signature of Joseph
 17 Caramadre above your name?
 18 A. Yes.
 19 Q. And do you see the date where it says
 20 3 -- next to Mr. Caramadre's signature, 3-4-2008?
 21 A. Yes.
 22 Q. Is that your handwriting?
 23 A. No.
 24 Q. Now, do you -- in your -- on the front
 25 page of this document where it says Account

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1 Application, again, is there any indication of
 2 your handwriting anywhere on this front page?
 3 A. No.
 4 Q. Do you know, as you're sitting here
 5 today, whether you were shown the front page of
 6 this document before you signed the next two
 7 pages?
 8 A. No.
 9 Q. No, you don't know or no, you weren't
 10 shown?
 11 A. No, I wasn't shown this.
 12 Q. Do you have -- what, if anything, did
 13 Raymour say to you about opening up an account in
 14 your name at Ameritrade?
 15 A. None whatsoever.
 16 Q. Did you have any idea any kind of
 17 accounts were going to be opened in your name?
 18 A. No.
 19 Q. Now, the -- this lists that the Account
 20 Owner is Joseph A. Caramadre in this Paragraph 2;
 21 and Paragraph 3, it says Account Co-Owner, and
 22 it's your name, Edwin Rodriguez.
 23 What knowledge, if any, did you have of
 24 becoming co-owners in an account in Ameritrade
 25 with Joseph Caramadre?

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1 A. None whatsoever.
 2 Q. Now, do you see under your name your
 3 date of birth?
 4 A. Yes.
 5 Q. Is your date of birth 9/23/1976?
 6 A. Yes.
 7 Q. And do you see next to the date of birth
 8 your social security number?
 9 A. Yes.
 10 Q. And then do you see the name of your
 11 daughter Luz?
 12 A. Yes. That's my -- my -- that's not Luz
 13 as Luz Beth. This is my mother's name.
 14 Q. I see. That's the name of your mother.
 15 Okay. And do you see a few lines down, the next
 16 line down, your address at the time?
 17 A. Yes.
 18 Q. And do you see a few lines down, is that
 19 your phone number?
 20 A. It was. It probably was. I really
 21 don't remember.
 22 Q. That may have been your phone number at
 23 Euclid Avenue?
 24 A. That probably may have been.
 25 Q. Now, did you provide your date of birth

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1 and social security number to Raymour?
 2 A. No, I don't think so.
 3 Q. Okay. Do you -- do you recall him
 4 asking you for this -- your social security
 5 number?
 6 MR. TRAINI: Objection.
 7 A. To tell you the truth, I -- I really
 8 think he -- he asked me for it but it wasn't for
 9 this.
 10 Q. But do you recall any conversations --
 11 A. No. I really don't remember.
 12 MR. VILKER: Let me just finish the
 13 question.
 14 THE WITNESS: Okay.
 15 MR. VILKER: It's hard when it's in the
 16 middle of the question.
 17 THE WITNESS: Sorry.
 18 MR. VILKER: That's okay.
 19 Q. Do you recall any conversations with
 20 Raymour concerning your social security number?
 21 MR. TRAINI: Objection.
 22 A. No.
 23 Q. Did you -- before you signed the second
 24 and third pages of this document, did you read
 25 those pages?

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1 A. No, I did not.
 2 Q. Okay. Approximately how much time did
 3 you have these two pages in your hand before you
 4 signed them?
 5 A. Well, just pretty fast.
 6 Q. And what was your understanding of the
 7 reason why you were being asked to sign these
 8 documents?
 9 MR. FLANDERS: Objection.
 10 MR. TRAINI: Objection.
 11 A. It was just for the money and the
 12 funeral expenses.
 13 Q. The money being the \$2000 you were to
 14 get?
 15 A. Yes.
 16 Q. Did Raymour read any part of this
 17 document to you?
 18 MR. TRAINI: Objection.
 19 A. No. I just saw the first document and
 20 that's why I was -- I thought I was signing just
 21 for the 2000 and funeral expenses.
 22 Q. Okay. By the first document, you -- are
 23 you referring to Government Exhibit 1 which is
 24 Terminal --
 25 A. Yes.

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1 Q. -- Illness Philanthropy Account receipt?
 2 A. Yes.
 3 Q. So you read through Exhibit 1?
 4 MR. FLANDERS: Objection.
 5 A. Yes.
 6 Q. Okay. But you -- what was your
 7 understanding of what the remaining documents you
 8 were signing after Exhibit 1?
 9 MR. FLANDERS: Objection.
 10 A. It was all for that --
 11 MR. TRAINI: Objection.
 12 A. It was all for the -- every -- all for
 13 that and I believe it was for one -- I don't know
 14 if he said for my doctors -- how do you call that,
 15 when your doctor gives information?
 16 Q. A release of information?
 17 A. Yes.
 18 Q. Okay. And that was your entire
 19 understanding of what the other documents were?
 20 MR. PINE: Objection.
 21 A. Yes. That's what it was.
 22 MR. TRAINI: Objection.
 23 MR. FLANDERS: Objection.
 24 MR. MacFADYEN: Objection.
 25 Q. Now, I'm going to show you Government

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1 Exhibit 5. This document is titled Limited
 2 Trading Authorization?
 3 A. Yes.
 4 Q. Now, do you see under Account Co-owner
 5 your signature?
 6 A. Account -- yes.
 7 Q. Okay. Do you see the date above your
 8 signature 3-4-2008?
 9 A. Yes.
 10 Q. Is that date in your handwriting?
 11 A. No.
 12 Q. Do you see the name on the -- the left
 13 side of the document of Account Owner being Joseph
 14 A. Caramadre?
 15 A. Yes, I do.
 16 Q. Did Mr. Caramadre sign this document in
 17 your presence?
 18 A. No.
 19 Q. Before today, have you ever met or seen
 20 Mr. Caramadre?
 21 A. No.
 22 Q. Do you see the date above
 23 Mr. Caramadre's name of 3/4/2008?
 24 A. Yes.
 25 Q. Is that date in your handwriting?

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1 A. No.
 2 Q. Now, did you -- what, if anything, did
 3 Raymour say to you about providing any kind of
 4 trading authorization?
 5 A. None whatsoever.
 6 MR. TRAINI: Objection.
 7 MR. FLANDERS: Objection.
 8 MR. MacFADYEN: Objection.
 9 MR. PINE: Objection.
 10 MR. VILKER: If you can just wait until
 11 they finish their objection --
 12 THE WITNESS: I'm sorry.
 13 MR. VILKER: -- and then you can answer
 14 the question.
 15 A. None whatsoever.
 16 Q. Did you read this document before you
 17 signed it?
 18 A. No.
 19 Q. Did you ask anyone else to read it
 20 before you signed it?
 21 A. No.
 22 Q. What was your understanding of the
 23 reason why you were signing this document?
 24 MR. TRAINI: Objection.
 25 A. The same thing. All of -- for the 2000

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1 and for the funeral expenses.
 2 Q. Did you -- what knowledge, if any, did
 3 you have of providing Raymour with trading
 4 authorization for an Ameritrade account?
 5 MR. TRAINI: Objection.
 6 A. None whatsoever.
 7 Q. Did you know anything about any
 8 Ameritrade account?
 9 A. No.
 10 Q. I'd like to show you Government
 11 Exhibit 6. Here you go.
 12 Now, Government Exhibit 6 is titled
 13 Margin/Options Account Upgrade Form.
 14 Before I ask you any other questions, do you
 15 have any idea what a margin is?
 16 A. No.
 17 Q. Okay. Or what -- what different options
 18 may exist on an Ameritrade account?
 19 A. No.
 20 Q. Now, again, if you turn to the third
 21 page of this document, do you see your signature?
 22 A. Yes.
 23 Q. Okay. And do you see the date next to
 24 your signature of 3-4-2008?
 25 A. Yes.

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1 Q. Is that date written in your
 2 handwriting?
 3 A. No.
 4 Q. Do you see the name above that of the
 5 apparent signature of Joseph Caramadre?
 6 A. Yes.
 7 Q. Do you see the date next to his
 8 signature of 3-4-2008?
 9 A. Yes.
 10 Q. Is that date in your handwriting?
 11 A. No.
 12 Q. Do you recall at the time that you
 13 signed your signature to this Government Exhibit 6
 14 whether Mr. Caramadre's signature was already on
 15 this form at the time?
 16 A. No.
 17 Q. No, you don't recall or no, it wasn't?
 18 A. No, I don't think it was.
 19 Q. Now, if you go back -- again, if you
 20 could turn to the next page, Page 4 of this
 21 document --
 22 A. Uh-hum.
 23 Q. -- do you see a signature on that page?
 24 A. Yes.
 25 Q. And is there a date again written next

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1 to your signature?
 2 A. Yes.
 3 Q. Of 3-4-2008?
 4 A. Yes.
 5 Q. Is that date in your handwriting?
 6 A. No.
 7 Q. Do you see again the apparent signature
 8 of Joseph Caramadre above your signature?
 9 A. Yes.
 10 Q. Is the date of 3-4-2008 --
 11 A. Yes.
 12 Q. -- next to Mr. -- do you see that date?
 13 A. Yes.
 14 Q. Is that date in your handwriting?
 15 A. No.
 16 Q. Now, do you recall whether when you
 17 signed this page, whether the signature of Joseph
 18 Caramadre was already on the page at the time you
 19 signed it?
 20 A. No.
 21 MR. VILKER: Again, it may be part of my
 22 --
 23 A. No. I don't think it was.
 24 Q. Now, how much time would you estimate
 25 that you spent looking at these last two pages of

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1 this Government Exhibit 6 before you signed them?
 2 A. None whatsoever. Just signed it.
 3 Q. And what, if anything, did Raymour say
 4 was the purpose of this document?
 5 MR. MacFADYEN: Objection.
 6 MR. TRAINI: Objection.
 7 A. Same thing. All of them was for that.
 8 Q. Now, if you look at the first two pages
 9 of this Margin/Options Account Upgrade Form, do
 10 you see your signature or handwriting --
 11 A. Where?
 12 Q. On the first two pages of this document.
 13 A. Okay.
 14 Q. Just take a look at that and tell me if
 15 you see your name -- excuse me -- if you see your
 16 signature or handwriting anywhere on these first
 17 two pages.
 18 A. No.
 19 Q. Are you looking at the second page as
 20 well?
 21 A. That's not my signature, no.
 22 COURT REPORTER: Sorry?
 23 A. No, that really isn't my signature.
 24 Q. Do you see any of your handwriting on
 25 the first two pages?

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1 A. The second page, I don't -- I don't
 2 recall this.
 3 Q. Okay.
 4 A. It might be but I don't think so.
 5 Q. Okay. As you sit here today, do you
 6 have any knowledge of whether the first two pages
 7 of this document titled Margin/Options Account
 8 Upgrade Form were shown to you before you signed
 9 the third and the fourth page?
 10 A. No.
 11 MR. VILKER: And it's the same problem
 12 with me asking that question.
 13 Q. Do you have -- do you know whether they
 14 were presented to you or do you not remember?
 15 MR. FLANDERS: Objection.
 16 A. I don't remember.
 17 Q. You don't remember?
 18 A. No, I don't think --
 19 MR. FLANDERS: Objection.
 20 Q. I'm sorry?
 21 A. I don't think so, no.
 22 MR. VILKER: Now, I'll take that back
 23 from you.
 24 Q. Now, all of these documents that I just
 25 showed to you, were these signed at -- on one

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1 occasion with Raymour there?
 2 MR. FLANDERS: Objection.
 3 MR. MacFADYEN: Objection.
 4 A. Yes.
 5 Q. Let me ask you another way. On how many
 6 occasions did you meet with Raymour when you
 7 signed all these documents?
 8 MR. TRAINI: Objection.
 9 A. One.
 10 Q. Okay.
 11 A. Once.
 12 Q. Now, at the time that you signed these
 13 documents and received -- subsequently received
 14 \$2000, what knowledge, if any, did you have of any
 15 accounts being opened up in your name?
 16 A. None whatsoever. I -- I would have not
 17 signed it.
 18 Q. What, if anything, did Raymour tell you
 19 at any time about any accounts being opened in
 20 your name?
 21 MR. TRAINI: Objection.
 22 MR. MacFADYEN: Objection.
 23 A. None whatsoever.
 24 Q. What, if anything, did Raymour tell you
 25 at any time concerning any annuities being opened

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1 up in your name?
 2 MR. TRAINI: Objection.
 3 MR. MacFADYEN: Objection.
 4 A. None.
 5 Q. During this first meeting that you had
 6 with Raymour that you testified was in early 2008,
 7 what, if anything, did Raymour say to you during
 8 that meeting concerning any annuities that would
 9 be opened up in your name?
 10 MR. TRAINI: Objection.
 11 MR. MacFADYEN: Objection.
 12 MR. FLANDERS: Objection.
 13 A. None whatsoever.
 14 Q. During that first meeting with Raymour,
 15 what, if anything, did he say to you about any
 16 accounts being opened up in your name?
 17 MR. PINE: Objection.
 18 MR. TRAINI: Objection.
 19 MR. FLANDERS: Objection.
 20 MR. MacFADYEN: Objection.
 21 A. None.
 22 Q. During any subsequent meeting with
 23 Raymour, did he say anything to you, one way or
 24 the other, about whether any accounts would be
 25 opened up in your name?

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1 MR. PINE: Objection.
 2 MR. TRAINI: Objection.
 3 MR. MacFADYEN: Objection.
 4 A. None.
 5 Q. What consent, if any, did you give to
 6 have any accounts opened up in your name?
 7 MR. PINE: Objection.
 8 A. None. But could I say something?
 9 Q. Sure.
 10 A. Why -- why would I give him the power to
 11 get money off me if I have a daughter and I have
 12 my brother? I would never give Raymond -- I don't
 13 know him -- I mean the -- the -- the knowledge so
 14 that he could do all these papers and get money
 15 from me.
 16 MR. FLANDERS: Objection. Motion to
 17 strike.
 18 MR. TRAINI: Motion to strike.
 19 Nonresponsive.
 20 Q. Okay. What knowledge -- at the time you
 21 signed these documents, what knowledge did you
 22 have of whether Raymour or anybody else stood to
 23 make any money upon your death?
 24 MR. FLANDERS: Objection. What
 25 document?

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1 MR. TRAINI: Objection.
 2 A. None whatsoever.
 3 Q. Did I just show you a series of
 4 documents that were marked Government Exhibits 1
 5 through 6?
 6 A. Yes.
 7 Q. At the time you signed Government
 8 Exhibits 1 through 6, what knowledge, if any, did
 9 you have of whether Raymour or anyone else to --
 10 to make any money upon your death?
 11 A. None whatsoever.
 12 Q. Before you met with anyone from the
 13 government in this case, what knowledge, if any,
 14 did you have of any accounts being opened or
 15 existing in your name at Ameritrade?
 16 A. None.
 17 Q. What, if anything, do you know about any
 18 money being deposited into any Ameritrade account
 19 in your name?
 20 A. None.
 21 Q. What knowledge, if any, do you have of
 22 any purchase of corporate bonds being made by
 23 Joseph Caramadre?
 24 A. None.
 25 Q. What knowledge do you have of any bonds

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1 being purchased in your name from General Motors
 2 Corporation?
 3 A. None.
 4 Q. What knowledge do you have of any bonds
 5 being purchased in your name from Countrywide
 6 Finance?
 7 A. None.
 8 Q. What knowledge do you have of any bonds
 9 being purchased in your name from CIT Group?
 10 A. None.
 11 Q. Now, I'd like to show you what I've
 12 identified as Government Exhibit 13.
 13 Mr. Rodriguez, Government 13 is from Ameritrade
 14 and it's entitled 2008 Consolidated Forms 1099.
 15 MR. FLANDERS: That's not what I have.
 16 MR. PINE: That's not 13, I don't think.
 17 MR. VILKER: It's not?
 18 MR. FLANDERS: 13 is a check.
 19 MR. VILKER: My 13 is --
 20 MR. PINE: This is 13.
 21 MR. VILKER: Did I put the wrong number
 22 on them?
 23 MR. FLANDERS: What's the title of the
 24 document?
 25 MR. VILKER: I apologize.

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1 MR. PINE: There are actually two 13s.
 2 MR. VILKER: There's two 13s. Let me
 3 just cross this out. This will now become
 4 Government Exhibit 14.
 5 MR. TRAINI: Which one is 14 now?
 6 MR. VILKER: 14 is 2008 Consolidated
 7 Forms 1099 from Ameritrade. It's my error. I put
 8 two Exhibit 13s.
 9 Q. Now, looking now at what's been
 10 identified as Government Exhibit 14, which is
 11 entitled 2008 Consolidated Forms 1099, I'll ask if
 12 you've ever seen this document before.
 13 A. No.
 14 Q. Now, do you see that the recipients of
 15 this document on the top of the corner are Joseph
 16 A. Caramadre and Edwin Rodriguez?
 17 A. Yes.
 18 Q. Do you know the -- have you ever -- let
 19 me ask you: Have you ever lived in the address
 20 listed in this letter of 1000 Chapel View
 21 Boulevard, Suite 270, in Cranston?
 22 A. No.
 23 Q. Have you ever been to that address?
 24 A. No.
 25 Q. Now, this document, if you go down to

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1 the first -- the first box that says 1099 Interest
 2 Income, it says Line 1, do you see Line 1 in this?
 3 A. Yes.
 4 Q. It says, "Interest income not included
 5 on Line 3," it says, "Amount \$44,163"?
 6 MR. TRAINI: Objection.
 7 Q. \$44,163.61?
 8 MR. PINE: Objection.
 9 Q. Do you see --
 10 A. Yes.
 11 Q. Do you see that amount?
 12 A. Yes, I do.
 13 Q. What knowledge, if any, did you have of
 14 more than \$44,000 in interest being made on the --
 15 on any accounts in your name at Ameritrade?
 16 MR. PINE: Objection. He hasn't
 17 identified the exhibit.
 18 MR. TRAINI: Objection.
 19 A. None whatsoever.
 20 MR. PINE: Move to strike.
 21 Q. Do you know anything about any interest
 22 being paid on any Ameritrade account?
 23 MR. TRAINI: Objection.
 24 MR. PINE: Objection.
 25 A. No.

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1 Q. Did you receive any interest that was
 2 made on these Ameritrade accounts in your name?
 3 MR. TRAINI: Objection.
 4 MR. PINE: Objection.
 5 A. No.
 6 Q. Now, if you go down to Line 2 in the box
 7 below, do you see where it says, "Stocks, bonds,
 8 et cetera reported to IRS"?
 9 THE WITNESS: Where?
 10 MR. VILKER: Right here.
 11 A. Yes.
 12 Q. Do you see the line under that that
 13 says, "Gross proceeds less commissions and options
 14 premiums"?
 15 A. Yes.
 16 Q. And do you see the amount \$3,230,162?
 17 MR. PINE: Objection.
 18 MR. TRAINI: Objection.
 19 A. Yes, I do.
 20 Q. What knowledge, if any, do you have of
 21 the purchase of more than \$3.2 million worth of
 22 financial instruments in this account?
 23 MR. TRAINI: Objection.
 24 A. None whatsoever.
 25 MR. PINE: Move to strike.

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1 Q. Now, going back to the first meeting
 2 that you had with Raymour, do you recall how that
 3 meeting ended?
 4 A. Just that it was -- he'll stay in touch
 5 and whenever the -- the check will come in the
 6 mail.
 7 Q. Okay. Now, there came a time, I believe
 8 you mentioned earlier, that you had a second
 9 meeting with Raymour?
 10 A. Yes.
 11 Q. And where did that meeting take place?
 12 A. I believe it was in Roger Williams
 13 Hospital.
 14 Q. Okay. And other than yourself and
 15 Raymour, was anybody else there that day?
 16 A. No.
 17 Q. What do you recall Raymour saying to you
 18 at the time he -- he came to the hospital?
 19 MR. TRAINI: Objection.
 20 MR. PINE: Objection.
 21 A. He just said that this is the last time
 22 I'll see him and he gave me \$550 and said the
 23 funeral expenses were paid, you have a good
 24 brother, I remember that, and that was about it.
 25 Q. Did Raymour ask you to sign any other

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1 documents on that occasion?
 2 A. No.
 3 MR. TRAINI: Objection.
 4 Q. Now, did there come a third time in
 5 which you met with Raymour?
 6 A. Yes.
 7 Q. And where did that meeting take place?
 8 A. That took place in New Bedford Rehab
 9 Center.
 10 Q. And do you recall approximately when
 11 that meeting took place?
 12 A. That took place early 2009.
 13 Q. Okay. And was there anyone else there
 14 during that meeting?
 15 A. Yes.
 16 Q. Who else was there?
 17 A. My brother, his girlfriend.
 18 Q. How was that meeting -- did Raymour call
 19 and tell you he was going to be coming before?
 20 MR. TRAINI: Objection.
 21 A. He called my brother.
 22 Q. Were you expecting him to come that day?
 23 A. Yes, because he said that --
 24 MR. TRAINI: Objection.
 25 A. -- to see if I wanted to do the same

16 (Pages 58 to 61)

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1 thing all over again.
 2 Q. Okay. That's what he said to your
 3 brother?
 4 MR. TRAINI: Objection.
 5 A. Yes.
 6 Q. Now --
 7 A. That's what my brother told me.
 8 MR. TRAINI: Objection.
 9 MR. PINE: Objection.
 10 MR. FLANDERS: Move to strike.
 11 Q. Now, how -- how long did this third
 12 meeting with Raymour take at the New Bedford Rehab
 13 facility?
 14 A. About 20 minutes to a half an hour.
 15 Q. Now, what, if anything, did Raymour say
 16 to you during this meeting at the rehab?
 17 MR. TRAINI: Objection.
 18 MR. PINE: Objection.
 19 MR. MacFADYEN: Objection.
 20 A. He just said that see if I wanted to do
 21 this all over again, the money for -- it wasn't
 22 going to be as much but he will try to get me some
 23 more money.
 24 Q. Did Raymour explain when he said do this
 25 all over again, what he was referring to?

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1 to you that third meeting at the rehab facility
 2 concerning the purpose of the forms you were to
 3 sign?
 4 MR. TRAINI: Objection.
 5 MR. MacFADYEN: Objection.
 6 A. It was just for the -- to see if I
 7 could -- the -- the money all over again.
 8 Q. And did you read these forms before you
 9 signed them?
 10 MR. PINE: Objection as to the form.
 11 A. No.
 12 Q. Okay. Did Raymour read them to you?
 13 MR. TRAINI: Objection.
 14 A. No. He just said that it was the same
 15 thing as the last time.
 16 MR. TRAINI: Move to strike.
 17 Q. What explanation, if any, did Raymour
 18 give you of what the contents of the forms were?
 19 MR. TRAINI: Objection.
 20 A. It was for the money to see if he could
 21 help me out again.
 22 Q. After -- after you signed these forms,
 23 did Raymour provide you with a copy of them?
 24 A. No.
 25 Q. Who, if anyone, did you ask to review

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1 MR. TRAINI: Objection.
 2 A. Yes. The -- the money-wise. Like the
 3 \$2000, that -- that he'll probably get me almost
 4 that amount again.
 5 Q. And what did you understand this to
 6 mean?
 7 MR. TRAINI: Objection.
 8 A. That it was just for more money.
 9 Q. But what did you understand the purpose
 10 of this money to be?
 11 MR. TRAINI: Objection.
 12 A. For -- again, for the same thing. I'm
 13 dying, to help me.
 14 Q. Now, when Raymour said this to you,
 15 how -- how did you respond?
 16 A. I said okay.
 17 Q. And did Raymour give you money that day?
 18 A. Yes. When I signed the papers, he gave
 19 me \$250.
 20 Q. Was this in cash or a check?
 21 A. Cash.
 22 Q. Now, you said that he had additional
 23 forms for you to sign that day?
 24 A. Yes.
 25 Q. Now, what, if anything, did Raymour say

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1 the forms before you signed them?
 2 A. Nobody.
 3 Q. I'd like to show you Government
 4 Exhibit 7. Do you see -- turning to the second
 5 page of Exhibit 7, which is entitled Annuitant's
 6 Acknowledgement, do you see your signature?
 7 A. Yes.
 8 Q. And do you see a date of
 9 January 1/14/2009?
 10 A. Yes.
 11 Q. Did you write that date in?
 12 A. No.
 13 Q. And does the date below, apparently next
 14 to Raymour's signature, that's also 1/14/09?
 15 A. Yes.
 16 Q. Did you write that date in?
 17 A. No.
 18 Q. Now, turning to the first page, do you
 19 see the initials "E.R." on the left side of the
 20 document?
 21 A. Yes.
 22 Q. Okay. Did you write those initials in?
 23 A. Yes.
 24 MR. FLANDERS: I'm sorry. I didn't hear
 25 that.

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1 MR. VILKER: He said yes.
 2 BY MR. VILKER:
 3 Q. Did you read any of this document before
 4 you put your initials on the first page and signed
 5 the second page?
 6 A. No, I did not.
 7 Q. Okay. Do you see the handwritten
 8 portion on the top of the document?
 9 A. Yes.
 10 Q. And do you see the name Paula Bizier?
 11 A. Yes.
 12 Q. Do you know anyone Paula Bizier?
 13 A. No, I do not.
 14 Q. And do you see where it says, "Contract
 15 Annuitant: Edwin Rodriguez"?
 16 A. Yes.
 17 Q. And it says, "Annuity Company:
 18 Nationwide." Do you see that?
 19 A. Yes.
 20 Q. My question is the -- the top part
 21 that's handwritten in, was that handwritten in at
 22 the time Raymour presented these documents to you
 23 for your signature?
 24 A. No, they weren't.
 25 Q. So Nationwide was never written in on

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1 purposes of the account death benefit guarantee.
 2 Furthermore, I understand that a death benefit
 3 guarantee will be paid to the annuity contract
 4 beneficiary upon the death of the contract
 5 annuitant."
 6 As I just read that to you, do you understand
 7 what that means?
 8 A. I believe it was for somebody getting
 9 money for -- for me when I die.
 10 Q. What, if anything, did Raymour say to
 11 you at the time that this document was presented
 12 to you about someone else getting money upon your
 13 death?
 14 MR. PINE: Objection.
 15 MR. TRAINI: Objection.
 16 A. None.
 17 Q. Do you see the term "measuring life"
 18 that I read? What, if anything, did Raymour say
 19 to you about you serving as a measuring life?
 20 MR. PINE: Objection.
 21 A. None.
 22 Q. What knowledge, if any, did you have of
 23 whether -- of whether anyone else stood to make
 24 any money upon your death?
 25 MR. TRAINI: Objection.

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1 this document?
 2 MR. FLANDERS: Objection.
 3 MR. MacFADYEN: Objection.
 4 MR. TRAINI: Objection.
 5 A. No.
 6 Q. Now, did you understand when you signed
 7 this document -- or let me rephrase that.
 8 What understanding, if any, did you have when
 9 you signed this document about whether any annuity
 10 would be opened up under your name?
 11 MR. TRAINI: Objection.
 12 A. None whatsoever.
 13 Q. What, if anything, did Raymour tell you
 14 about -- about any kind of annuity being opened
 15 up --
 16 MR. TRAINI: Objection.
 17 Q. -- under your name?
 18 MR. TRAINI: Objection.
 19 A. None whatsoever.
 20 Q. If you turn to Page 2 of this
 21 document --
 22 A. Yes.
 23 Q. -- do you see the top paragraph where it
 24 reads: "My sole purpose as annuitant under the
 25 annuity contract is to be a measuring life for the

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1 A. None.
 2 Q. Now, let me take that back. Let me show
 3 you Government Exhibit 8. Do you recognize your
 4 signature on this document?
 5 A. Yes.
 6 Q. Did you read through this document
 7 before you signed it?
 8 A. No.
 9 Q. What did you understand the purpose of
 10 this document to be?
 11 MR. TRAINI: Objection.
 12 A. For more money. The same thing as the
 13 last time.
 14 Q. More money to whom?
 15 A. To me, for me.
 16 MR. TRAINI: Another objection to that
 17 document, Mr. Vilker, is that at least what we
 18 have marked as Exhibit 8 is one page that just
 19 says Page 4 of 6. I don't know where the other
 20 pages are or what the rest of the document is
 21 or --
 22 MR. VILKER: Okay.
 23 MR. TRAINI: -- how he can be examined
 24 what he understood the document to be if we only
 25 have this one page, unless there's more to this

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1 exhibit and I don't have it.
 2 MR. VILKER: Okay. I understand your
 3 objection.
 4 BY MR. VILKER:
 5 Q. I'd like to show you Government
 6 Exhibit 9. Do you see your signature on
 7 Government Exhibit 9?
 8 A. Yes.
 9 Q. And do you see the word next to your
 10 signature of "Annuitant"?
 11 A. Yes.
 12 Q. What -- at the time you signed this
 13 document, what understanding, if any, did you have
 14 of whether you are agreeing to be an annuitant in
 15 any kind of annuity?
 16 MR. TRAINI: Objection.
 17 A. None whatsoever.
 18 MR. TRAINI: Same objection as the last
 19 exhibit, Mr. Vilker.
 20 A. None whatsoever. I don't even know what
 21 it is, what -- what that means.
 22 MR. VILKER: Okay. I can take that back
 23 from you.
 24 Q. Okay. Government Exhibit 10, is that
 25 your signature on Government Exhibit 10?

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1 A. Yes.
 2 Q. And why did you sign this document?
 3 A. What was that?
 4 Q. Why did you sign this document?
 5 MR. TRAINI: Objection.
 6 A. Same thing. It was all papers for
 7 the -- for more money --
 8 Q. Okay.
 9 A. -- to help me out.
 10 Q. Did you read any of the language, the
 11 typed-in language above your signature?
 12 A. No.
 13 MR. TRAINI: Same objection as to the
 14 previous two exhibits.
 15 MR. VILKER: Okay. I can take that
 16 back.
 17 Q. I'll show you Government Exhibit 11. Do
 18 you recognize your signature on this document?
 19 A. Yes.
 20 Q. How much time, if any, did you spend
 21 reading this document before you signed it?
 22 A. None.
 23 Q. Did -- how much time, if any, did
 24 Raymour spend reading this document to you before
 25 you signed it?

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1 MR. TRAINI: Objection.
 2 A. None. None.
 3 MR. TRAINI: Same objection as to the
 4 previous Exhibits 8, 9 and 10.
 5 Q. Now, I'd like to show you Government
 6 Exhibit 12. Do you recognize your signature?
 7 A. Yes.
 8 Q. Okay. Did you read this document before
 9 you signed it?
 10 A. No.
 11 Q. Is this document part of the -- part of
 12 the set of documents that Mr. -- excuse me -- that
 13 Raymour provided you in the earlier part of 2009?
 14 MR. TRAINI: Objection.
 15 A. Yes.
 16 Q. How much time altogether did you spend
 17 on that day in 2009 in the rehab facility going
 18 over the documents Raymour asked you to sign?
 19 A. None.
 20 MR. VILKER: I'll take that back from
 21 you.
 22 MR. TRAINI: I also have the same
 23 objection to this one as to the previous
 24 Exhibits 8, 9, 10 and 11.
 25 MR. VILKER: Okay. Just one moment.

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1 (P A U S E)
 2 MR. VILKER: I don't have any further
 3 questions.
 4 VIDEOGRAPHER: We are going off the
 5 record. The time is 12:20.
 6 (R E C E S S)
 7 VIDEOGRAPHER: The time is 12:30. We
 8 are going back on the record.
 9 EXAMINATION
 10 BY MR. PINE:
 11 Q. Good afternoon, Mr. Rodriguez.
 12 A. Good afternoon.
 13 Q. My name is Jeffrey Pine. I'm an
 14 attorney for Raymour Radhakrishnan. I'm going to
 15 be asking you some questions just as Mr. Vilker
 16 did, and if you don't understand the question,
 17 I'll be happy to rephrase it. If you answer, I'll
 18 assume you understood the question and are
 19 answering truthfully --
 20 A. Uh-hum.
 21 Q. -- okay? Do you know what medications
 22 you are on today during this deposition?
 23 A. I could get the paper.
 24 Q. Do you know without referring to a list
 25 what you -- what you took today or yesterday?

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1 A. I'm on Dilaudid pump for pain --
 2 Q. Right.
 3 A. -- for the pain.
 4 Q. Right.
 5 A. And I'm on Cepharil for the infection,
 6 the urine. I'm on baclofen for spasms, Valium for
 7 spasms. Just a couple more. I don't remember the
 8 name.
 9 Q. Are you on a medication known as
 10 metoprolol?
 11 A. Metoprolol?
 12 Q. Is that familiar to you?
 13 A. Probably. I don't know.
 14 Q. Okay. You're not sure?
 15 A. No.
 16 Q. Are you on a medication known as
 17 Fragmin?
 18 A. Fragmin?
 19 Q. Does that ring a bell?
 20 A. Yes.
 21 Q. I'm sorry?
 22 A. Yes.
 23 Q. Yes, you are on that today? Okay. Are
 24 you on a medication known as senna or Colace?
 25 A. Yes.

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1 Q. Are you on a medication known as
 2 Miralax?
 3 A. Yes.
 4 Q. Are you on a medication known as
 5 oxybutynin?
 6 A. Yes.
 7 Q. Those are all familiar to you?
 8 A. Yes.
 9 Q. And you take them on a daily basis,
 10 including today?
 11 A. Yes.
 12 Q. Does somebody administer those
 13 medications to you or do you take them yourself?
 14 A. What was that?
 15 Q. Does somebody give you those medications
 16 or do you take them yourself?
 17 A. I take them myself.
 18 Q. Okay. You're on diazepam?
 19 A. Yes.
 20 Q. And what about gabapentin?
 21 A. Yes.
 22 Q. What about meloxicam?
 23 A. Yes.
 24 Q. That rings a bell also?
 25 A. Uh-hum.

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1 Q. You're on it? Okay. What about --
 2 (Interruption by door bell.)
 3 VIDEOGRAPHER: Let's go off the record.
 4 It's 12:32.
 5 (P A U S E)
 6 VIDEOGRAPHER: Going back on the record.
 7 12:33.
 8 BY MR. PINE:
 9 Q. Going back on the record, we were
 10 momentarily interrupted by a delivery of your
 11 medications I take it?
 12 A. Yes.
 13 Q. Okay. And I just noticed that you
 14 signed a receipt for that?
 15 A. Yes.
 16 Q. Did you read the entire form before you
 17 signed it?
 18 A. No. I already know what it is for.
 19 Q. Okay. Are you on a medication known as
 20 mirtazapine?
 21 A. Mirtazapine? I believe so.
 22 Q. And what about Spiriva?
 23 A. Spiriva, yes.
 24 Q. And what about Macrochantin?
 25 A. I believe so. If -- if she goes to the

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1 room, she can get the paper. I'll tell you all my
 2 medications.
 3 Q. Okay. But you would agree with the
 4 medications that I've asked you about, that you
 5 take all of those on a daily basis?
 6 A. Yeah. I don't -- some names I don't
 7 recall.
 8 Q. A couple that you don't recognize?
 9 A. Yes.
 10 Q. And does that affect your ability to
 11 answer questions today?
 12 A. No.
 13 Q. Does it affect your ability to recall
 14 events that happened a year or more ago?
 15 A. No.
 16 Q. You have a good recall for those events
 17 that you talked about?
 18 A. Yes.
 19 Q. Do you live here with anybody else?
 20 A. No.
 21 Q. Okay. And are you able to take care of
 22 yourself?
 23 A. Yes. Some people come --
 24 Q. Okay.
 25 A. -- to help me out, CNA in the morning --

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1 Q. Okay.
 2 A. -- and in the afternoon.
 3 Q. And what -- what functions does your
 4 brother perform for you at the moment?
 5 A. At the moment?
 6 Q. What does he do for you?
 7 A. Right now he's just -- he's working --
 8 Q. Okay.
 9 A. -- and he drives trucks, so he's hardly
 10 at home, so he can't come that much.
 11 Q. What do you have him do? Do you have
 12 him do any of your business affairs, legal
 13 affairs, other types --
 14 A. No.
 15 Q. -- types of things?
 16 A. No.
 17 Q. Do you rely on him for his opinion or
 18 judgment or anything?
 19 A. No, nothing.
 20 Q. What about in 2008, was your
 21 relationship the same then as it is now?
 22 A. Yes.
 23 Q. Are you close with your brother?
 24 A. Yes.
 25 Q. Was your brother present during that

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1 Q. How long did you know her before
 2 February of 2008?
 3 A. About a month or more.
 4 Q. Okay. How long have you been under
 5 hospice care?
 6 A. I was there until September 23rd, 2008.
 7 Q. I'm sorry? Say that again.
 8 A. September 23rd, 2008.
 9 Q. Well, 2008 or '7?
 10 A. '8. I was from early -- in the
 11 beginning of 2008 until September.
 12 Q. Okay. So did you first start with
 13 hospice in early 2008?
 14 A. Yes.
 15 Q. Okay. And what was the reason that you
 16 had to go to hospice?
 17 A. Because the osteomyelitis was really
 18 painful.
 19 Q. And I think you said that in late 2007
 20 you were given a prognosis by a doctor saying that
 21 you had six months to three years to live?
 22 A. Yes.
 23 Q. When is the last time that you saw a
 24 doctor relating to your various conditions?
 25 A. I believe it was early 2009.

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1 first meeting with Raymour back on February 26th,
 2 2008?
 3 A. Yes.
 4 Q. And where did that meeting take place?
 5 A. I believe it was in my house.
 6 Q. Okay. In what room of your house?
 7 A. I believe it was in my dining room and
 8 then the living room.
 9 Q. Okay. Was your brother in the same room
 10 as you throughout that meeting?
 11 A. Yes, I believe so.
 12 Q. So he would have been able to listen to
 13 and hear what Raymour was talking about during
 14 that meeting, correct?
 15 A. I believe so, yes.
 16 Q. You mentioned somebody else there as
 17 well. Was that a girlfriend of your brother?
 18 A. Amy, yes.
 19 Q. Now, you -- you indicated when you
 20 testified earlier that you were connected to
 21 Raymour through Joni Fortin --
 22 A. Yes.
 23 Q. -- is that correct? She was your social
 24 worker at the hospice program?
 25 A. Yes.

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1 Q. Earlier this year?
 2 A. Uh-hum.
 3 Q. When is the last time a doctor gave you
 4 any kind of prognosis or a prediction about your
 5 life expectancy?
 6 A. He hasn't since that date.
 7 Q. Since that date two years ago?
 8 A. Yeah, no.
 9 Q. So at no time when you've seen a doctor
 10 since 2007 for various medical appointments has
 11 any doctor expressed to you your prognosis or
 12 prediction in terms of your life expectancy --
 13 A. I went --
 14 Q. -- since 2007?
 15 A. I went when I was in the hospital, when
 16 I was in New Bedford Rehab --
 17 Q. Right.
 18 A. -- and I went for a second opinion, and
 19 they told me that the osteomyelitis already ate my
 20 hip and is eating my pelvis and it's going to kill
 21 me because it's going to eat all my bones.
 22 Q. Right. I understand that they may have
 23 expressed that opinion. Did they give you any
 24 opinion about your life expectancy when you were
 25 at the New Bedford facility?

21 (Pages 78 to 81)

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1 A. No, he did not.
 2 Q. Okay. So the last time you received any
 3 kind of prediction would have been that time late
 4 in 2007 --
 5 A. Yes.
 6 Q. -- when that doctor gave you that?
 7 Okay. What did Joni Fortin tell you about Raymour
 8 before you met with him?
 9 A. She said that if I -- he was working for
 10 a wealthy man and -- and that he -- he helps out
 11 people in hospice that are dying.
 12 Q. The wealthy man was being generous with
 13 his money?
 14 A. Yes.
 15 Q. And do you recall seeing any type of
 16 advertisement or did she refer to any type of
 17 advertisement about that?
 18 A. No. But she -- she said something about
 19 in the newspaper they write that.
 20 Q. Right. So she referred to something in
 21 the newspaper about this wealthy man helping out
 22 people who were in hospice?
 23 A. Uh-hum.
 24 Q. Isn't that correct?
 25 A. Yes.

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1 Q. Do you know whether or not either you or
 2 your brother had a copy of that ad when you first
 3 met with Raymour?
 4 A. No.
 5 Q. No, you don't know or no, you don't
 6 recall?
 7 A. No, I don't recall.
 8 Q. Okay. Do you know if you had a copy of
 9 that ad?
 10 A. No.
 11 Q. And you don't know if your brother did?
 12 A. No.
 13 Q. And when she mentioned the fact that
 14 there was a wealthy man who was being generous
 15 with his money, you agreed to meet with that
 16 person?
 17 A. Yes, I did.
 18 Q. Sounded like a pretty good offer?
 19 A. Yes, it did.
 20 Q. Were you working at the time?
 21 A. No. I'm paralyzed. I can't work.
 22 Q. Right. I understand that. And how long
 23 have you been paralyzed? I think you said the
 24 carjacking was in 1994?
 25 A. 1994, yes.

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1 Q. And have you been confined to a
 2 wheelchair since that time?
 3 A. Yes, I have.
 4 Q. Have you worked since that time?
 5 A. No, I haven't. I worked in one job.
 6 That's about it.
 7 Q. Okay. And how long ago was that?
 8 A. That was 2006.
 9 Q. What kind of job was that?
 10 A. I mean 1996.
 11 Q. 1996. Okay. What kind of job was that
 12 back in 1996?
 13 A. It was in -- it was just putting coins
 14 like in these things just to show me how to do
 15 work and then get me a job.
 16 Q. And how long did that last?
 17 A. About three months.
 18 Q. Okay. What do you rely upon for income
 19 month to month or year to year?
 20 A. SSI.
 21 Q. SSI. Did you ever receive any kind of a
 22 settlement from the carjacking episode that put
 23 you -- made you injured and put you in the
 24 wheelchair?
 25 A. Yes, I did.

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1 Q. And when was that settlement?
 2 A. 2008.
 3 Q. 2008?
 4 A. (Witness nods head.)
 5 Q. When in 2008?
 6 A. Probably like June.
 7 Q. So just a year ago?
 8 A. No, no. I mean -- I'm sorry. 1998.
 9 Q. Okay. Because this would have been a
 10 long period of time there. So 1998?
 11 A. Yes.
 12 Q. And who did you receive that settlement
 13 from?
 14 A. That was from the State.
 15 Q. Okay. From the Victim of Violent Crime
 16 Fund?
 17 A. Yes.
 18 Q. For people who are injured in violent
 19 crimes?
 20 A. Yes.
 21 Q. How much money did you get from that
 22 fund?
 23 A. 25,000.
 24 Q. And you had filed a claim for that?
 25 A. What was that?

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1 Q. At some point before that, did you file
2 a claim to get the money?
3 A. Yes.
4 Q. File paperwork to get the money?
5 A. Yes.
6 Q. With the treasurer's office I presume?
7 A. Yes.
8 Q. Okay. Did anybody help you with that?
9 Did you have an attorney or did you --
10 A. Yes, an attorney helped.
11 Q. So you got \$25,000 as a result of that
12 kind of settlement and, other than that, you've
13 been living off of SSI. Any other forms of income
14 or sources of income?
15 A. No, but I was with my ex, she used to
16 get welfare. That's about it.
17 Q. I'm sorry?
18 A. When I was with my ex and my daughter,
19 she used to get welfare.
20 Q. Okay.
21 A. And then when I was with my daughter
22 until 2006, I was a single father, I had welfare
23 income too --
24 Q. Okay.
25 A. -- for my daughter.

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1 Q. So you received SSI as well as AFDC or
2 one --
3 A. Yes.
4 Q. -- one of the welfare benefit programs?
5 So when Joni Fortin mentioned that there was
6 a wealthy man who was being a generous individual
7 to people who are in the hospice program, that
8 certainly sounded appealing to you, did it not?
9 A. Yes.
10 Q. And you agreed to meet with that
11 individual or his representative?
12 A. His representative, yes.
13 Q. And that meeting, that first meeting,
14 took place -- took place on the morning of
15 February 26th, 2008, didn't it?
16 A. Something -- something -- something like
17 that.
18 Q. Okay. And that was at your home on
19 Euclid Avenue?
20 A. I believe so.
21 Q. And that's what I referred to earlier
22 that your brother was there for that meeting as
23 well --
24 A. Uh-hum.
25 Q. -- correct?

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1 A. Yes.
2 Q. Okay. And during that first meeting,
3 what did Raymour explain to you about why he was
4 there and what the generous individual was doing?
5 MR. MacFADYEN: Objection. I'd like to
6 make a continuing line of objection to questions
7 that ask for Mr. Radhakrishnan's statements in
8 this regard.
9 MR. PINE: You can answer.
10 Q. What did he tell you about -- what did
11 he explain to you about why he was there and what
12 the wealthy gentleman was going to do for people?
13 A. He said that he would probably help me
14 out with some money and that he would pay part of
15 my expenses for my funeral expenses.
16 Q. Uh-hum.
17 A. That's about it.
18 Q. How long did that first meeting last the
19 morning of February 26th?
20 A. I don't remember.
21 Q. Could it have been as much as an hour?
22 A. Maybe. I don't think so. Probably a
23 half an hour maybe.
24 Q. Half an hour?
25 A. Maybe, you know.

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1 Q. I'm sorry?
2 A. I really don't recall, so...
3 Q. Okay. You don't have a specific
4 memory --
5 A. Yeah.
6 Q. -- of the length of time?
7 A. Yes.
8 Q. But you do recall the meeting?
9 A. Yes.
10 Q. But not necessarily whether it was a
11 half-hour or an hour?
12 A. Yes.
13 Q. And did you express to Raymour during
14 that meeting that, in fact, you could use the
15 money?
16 A. Yes.
17 Q. Did Raymour tell you, after explaining
18 the purpose of the money, that he would have to
19 check with his -- his boss before he would put it
20 through? Did he express that to you?
21 A. He said that I had to sign some papers
22 and then he'll go through his boss and that's how
23 I will receive my money.
24 Q. Okay. So it's fair to say at that first
25 meeting, money did not change hands at that

Page 90

1 moment?

2 A. No.

3 Q. Okay. However, was there an agreement

4 to set up a second meeting after the first

5 meeting?

6 A. No, there wasn't.

7 Q. No? But you indicated that he said he

8 was going to go check with his boss?

9 A. Yes. He just -- I just needed to sign

10 the papers and that -- that it will go through,

11 everything will go through.

12 Q. When you say sign the papers, what

13 papers are you referring to?

14 A. The papers that I signed. He showed me

15 the first one for the 2000.

16 Q. Right. And that's Exhibit 1?

17 A. Yes.

18 Q. Okay. And that's -- that's a document

19 that -- that you did not sign, did you?

20 A. No.

21 Q. Your brother signed it?

22 A. Yes.

23 Q. And, in fact, your brother received the

24 money for that?

25 A. Yes, because he had a bank account.

Page 91

1 Q. He had a bank account; you did not?

2 A. Yes.

3 Q. Okay. And isn't it true that your

4 brother received that money on that very same day?

5 A. No.

6 Q. Okay. Was there a second meeting that

7 same day?

8 A. No. I believe it was mailed.

9 Q. You believe it was mailed?

10 A. Yes.

11 Q. Was there -- but was there a second

12 meeting following the first meeting in the

13 morning?

14 A. The second meeting for -- it was for

15 Joni Fortin, the one that -- the social worker --

16 Q. Right.

17 A. -- he went with my brother supposedly

18 to -- to pay the expenses for the funeral.

19 Q. Okay. When you say "he," who is that?

20 A. Raymond.

21 Q. Okay. And when did he do that,

22 according to your understanding?

23 A. About a couple of weeks later.

24 Q. Okay. I think you said, when you were

25 asked questions by Mr. Vilker, that it was about a

Page 92

1 month later that you got the first 2000?

2 A. Something like that.

3 Q. Well, was it a week, two weeks, three

4 weeks, a month, what do you think it was?

5 A. Yeah, a month, three weeks, a month.

6 Q. And you have a memory of that?

7 A. Receiving it, yes.

8 Q. Okay. Who did you receive the money

9 from?

10 A. My brother received it from Raymond.

11 Q. And is it your memory that your brother

12 received that money, the initial money, from

13 Raymour through the mail?

14 A. I believe so. I don't really --

15 Q. Okay. Do you have any memory of a

16 second meeting that same day, February 26th, 2008?

17 A. No, I don't.

18 Q. Because you've been referring to a

19 second meeting happening --

20 A. Later on.

21 Q. -- sometime later?

22 A. Yes.

23 Q. So as we sit here today, do you have any

24 memory of Raymour meeting again on that same day

25 after he had checked with his boss?

Page 93

1 A. No.

2 Q. No memory of that. Okay. You would

3 agree on Exhibit 2 -- if you can't see that, I'll

4 be happy to show it to you -- you would agree on

5 Exhibit 2 that the date on that check is

6 February 26th, 2008?

7 A. Yes.

8 Q. And it's made out to Melvin, your

9 brother?

10 A. Yes.

11 Q. And is that the check that you are

12 talking about that was not received until weeks

13 later in the mail?

14 A. Yes.

15 Q. Okay. Would it surprise you to know

16 that Melvin actually received that check on

17 February 26th and, in fact, cashed that check on

18 February 26th --

19 MR. VILKER: Objection.

20 Q. -- the very same day?

21 MR. VILKER: Objection. Assuming facts

22 not in evidence.

23 Q. Would it surprise you to hear that?

24 A. No.

25 Q. It would not surprise you to hear that?

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1 A. No. I really don't recall.
 2 Q. Okay. So you don't recall whether or
 3 not Melvin actually received the check that very
 4 same day and, in fact, cashed and endorsed that
 5 check that very same day?
 6 MR. VILKER: Same objection.
 7 A. No.
 8 Q. I could be right about that, couldn't I?
 9 MR. VILKER: Objection.
 10 A. No problem.
 11 Q. Okay. So it wouldn't have been weeks
 12 later that you received that, it would have been
 13 as early as that very same day, isn't that
 14 correct?
 15 A. I don't think so.
 16 Q. You don't think so but you wouldn't --
 17 would you be surprised to know that that's what
 18 happened?
 19 MR. VILKER: Objection.
 20 A. No.
 21 Q. After the first meeting on the 26th, did
 22 you and Melvin have a chance to discuss the
 23 proposal that Raymour had talked about? Did you
 24 talk to your brother about what Raymour had
 25 presented to you?

Page 95

1 A. Yes.
 2 Q. And did both you and Melvin have a
 3 favorable opinion of that?
 4 A. Yes. It was fine.
 5 Q. You wanted the money?
 6 A. Yes.
 7 Q. Okay. And Melvin didn't argue with
 8 that, did he?
 9 A. No.
 10 Q. Did you speak with Joni Fortin after
 11 that first meeting on the 26th and, assuming that
 12 there was a second meeting, did you speak with her
 13 after that -- that day, February 26th?
 14 A. Yes. I'm -- I'm still in touch with
 15 her.
 16 Q. Okay. And did you talk to her about the
 17 proposal that Raymour had made to you on the 26th?
 18 A. Yes.
 19 Q. And did you give her as well as Melvin a
 20 favorable impression of what Raymour was
 21 proposing?
 22 A. Yes.
 23 Q. Is it fair to say that Raymour presented
 24 you with additional documents to review and sign
 25 and was making other proposals to you about

Page 96

1 receiving more money; isn't that fair to say?
 2 MR. VILKER: Objection.
 3 A. No, not -- not until 2009.
 4 Q. Okay. Well, you've testified that you
 5 were shown -- or that you signed additional
 6 documents in 2008?
 7 A. That first time I signed all of the
 8 documents that I -- that I signed.
 9 Q. Okay. And you acknowledged on Exhibit 3
 10 that your signature appears on the third page of
 11 that document, isn't that correct?
 12 A. Yes.
 13 Q. That's your signature?
 14 A. Yes.
 15 Q. And it's your testimony that you signed
 16 that on the same day that you first met with
 17 Raymour?
 18 A. Yes.
 19 Q. Not at a later time?
 20 A. No.
 21 Q. This document refers to a brokerage
 22 account on Page 1?
 23 A. Uh-hum.
 24 Q. And I believe you testified that when
 25 you signed Page 3, you did not -- you were not

Page 97

1 shown Page 1 or 2; is that your testimony?
 2 A. Yes.
 3 Q. You were just shown the last page?
 4 A. Uh-hum.
 5 Q. When is the first time that you saw
 6 Page 1 or 2 of this document? Is it today or
 7 sometime before today?
 8 A. Probably right now.
 9 Q. Right now?
 10 A. Uh-hum.
 11 Q. Had you ever seen this document before
 12 Mr. Vilker showed it to you today?
 13 A. No. Probably today.
 14 Q. Okay. Did you ever meet Mr. Vilker
 15 before today?
 16 A. Yes.
 17 Q. And how long ago was that?
 18 A. About almost two weeks ago.
 19 Q. Okay. And at that meeting he did not
 20 show you this document or ask you about it?
 21 A. I believe so. I don't know.
 22 Q. You don't know?
 23 A. I believe so.
 24 Q. Believe so what?
 25 A. I believe he showed me it.

25 (Pages 94 to 97)

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1 Q. So when you said this was the first time
2 you saw it today, that's not accurate, is it?
3 A. To tell you the truth, I really don't
4 recall.
5 Q. Okay. Have you met on any occasion with
6 Agent McDaid of the FBI?
7 A. Yes.
8 Q. And was that before or after meeting
9 with Mr. Vilker?
10 A. Before.
11 Q. Before? How many times did you meet
12 with her?
13 A. I believe it was twice. Twice before
14 she came alone and then she came with him.
15 Q. Okay. And on -- on the occasion before
16 she came with him, did she show you this document
17 in Exhibit 3?
18 A. I don't think so.
19 Q. Okay. And you also acknowledged your
20 signature on Exhibit 4 which is titled an
21 Ameritrade Account Application?
22 (Witness perusing document.)
23 A. Yes. This is my signature.
24 Q. Okay. And did you sign that form?
25 A. Yes.

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1 Q. And in several spots, did you not?
2 A. No. Just here.
3 Q. And what about on the other pages, does
4 your signature appear on any of the other pages?
5 A. Yes. Over here appears twice.
6 Q. Okay. So that's your signature?
7 A. Yes.
8 Q. Did Raymour force you to sign that
9 document?
10 A. No.
11 Q. Okay. Was it your understanding that
12 you would receive additional money from Raymour?
13 A. No. It was just the \$2000.
14 Q. Well, hadn't you already received the
15 \$2000 before signing that document?
16 A. These are you're saying the second time
17 I saw -- on 2009 that I saw him?
18 Q. No. Before 2009.
19 A. No, I mean --
20 Q. When you signed these documents, it was
21 in 2008, wasn't it?
22 A. Yes. All of them.
23 Q. Right. And it was your understanding --
24 your testimony is that this related to the \$2000?
25 A. Uh-hum.

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1 Q. But you would agree that this is a
2 completely separate document from Exhibit 1 which
3 is purely a receipt?
4 A. Uh-hum. Yeah.
5 MR. VILKER: Objection. I don't know
6 what that means, completely separate. Obviously
7 it's two different documents.
8 MR. PINE: That's right.
9 BY MR. PINE:
10 Q. You would agree that they're two
11 separate documents with different forms and
12 different language --
13 A. Yes --
14 Q. -- from each other?
15 A. -- but I signed them all at that time.
16 Q. Right. And this is entitled a receipt.
17 You know what a receipt is obviously?
18 A. Yeah.
19 Q. Having received -- it acknowledges your
20 receipt of certain money, does it not?
21 A. I believe so. I don't know.
22 Q. Okay. This is not entitled a receipt,
23 it's entitled an Account Application?
24 A. Yes, but I didn't know that.
25 Q. Well, did you ask him any questions

Page 101

1 about it?
2 A. No, because it was all presented to me
3 in the same -- at the same time.
4 Q. Well, did Raymour explain any of it to
5 you before you signed?
6 A. He just said it was about the funeral
7 expenses and the \$2000.
8 Q. But you would agree that on the document
9 itself, right above where you signed, it says --
10 on one page it says, Account Agreement, does it
11 not?
12 (Witness perusing document.)
13 Q. Right above where you signed?
14 A. Account Agreement.
15 Q. Account Agreement. And on the next page
16 right above where you signed, it says, Options
17 Account Agreement, does it not?
18 A. Yes. Yes, it does.
19 Q. And an account agreement is different
20 from a receipt, isn't it?
21 A. I believe so. I don't know. All these
22 papers are -- I'm -- I'm learning about all these
23 accounts and the things like that now.
24 Q. And it's your testimony that Raymour did
25 not explain what it is to have an account --

26 (Pages 98 to 101)

Page 102

1 A. No.
 2 Q. -- or an account option?
 3 A. No.
 4 Q. You indicated that he met with you at
 5 the hospital?
 6 A. Yes.
 7 Q. And which hospital was that?
 8 A. Which time?
 9 Q. Prior to 2009 at New Bedford, there was
 10 another meeting at another facility, wasn't there,
 11 Roger Williams?
 12 A. That was before -- that was after he
 13 gave me the \$2000.
 14 Q. Right. So after he gave you the \$2000,
 15 you met with him, he came to Roger Williams
 16 Hospital to see you?
 17 A. Yes, he did.
 18 Q. Isn't that correct?
 19 A. Yes, he did.
 20 Q. And do you know when that was?
 21 A. Probably a month or two before -- after
 22 I got my --
 23 Q. And at that meeting, he gave you some
 24 more money, did he not?
 25 A. Yes. 550.

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1 Q. Okay. This was additional to that?
 2 A. Yes.
 3 Q. And you didn't argue with that?
 4 A. No.
 5 Q. And nobody forced you to take it either?
 6 A. No.
 7 Q. Was Melvin at that meeting at Roger
 8 Williams?
 9 A. No.
 10 Q. Just you and Raymour?
 11 A. Yes.
 12 Q. And did you say on direct examination
 13 from Mr. Vilker that you did sign other documents
 14 at that Roger Williams meeting?
 15 A. No.
 16 Q. Okay. Exhibit 3 that we referenced a
 17 few minutes ago is entitled a Brokerage Account?
 18 A. Yes.
 19 Q. Do you know what it means to have a
 20 brokerage account?
 21 A. No.
 22 Q. Do you know what it is to be a joint
 23 tenant?
 24 A. No.
 25 Q. Do you know what a tenant is?

Page 103

1 Q. Okay. Did he have you sign any
 2 documents at that meeting?
 3 A. No.
 4 Q. None?
 5 A. None.
 6 Q. Okay. And so he just gave you some
 7 money?
 8 A. Yes. He said that. He did give me some
 9 money.
 10 Q. All right. But you had already
 11 received -- I think you just said you had already
 12 received the \$2000?
 13 A. Yes.
 14 Q. So didn't this money have an additional
 15 purpose to it?
 16 MR. VILKER: Objection.
 17 A. No. He said it was -- no, he said it
 18 was all generous of -- from him.
 19 Q. I'm sorry?
 20 A. It was from him, generous.
 21 Q. Right. But you had already been paid
 22 initially for your expenses and funeral expenses
 23 and other things and that's why you received the
 24 \$2000?
 25 A. Yes.

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1 A. No.
 2 Q. Do you rent this apartment?
 3 A. Yes, I'm renting this.
 4 Q. Okay. So you know what a tenant means?
 5 A. Yes.
 6 Q. And if you rented it with somebody else,
 7 do you know what a -- a joint tenant means?
 8 A. No.
 9 Q. Okay. So that's a term with which you
 10 are not familiar?
 11 A. What do you mean?
 12 Q. Do you know what it means to be a joint
 13 tenant with somebody?
 14 A. Like having a lease?
 15 Q. Could be.
 16 A. Yeah. Having a lease.
 17 Q. And what does it mean?
 18 A. To have a -- you have a year lease or a
 19 year to pay rent.
 20 Q. Okay.
 21 A. Something like that.
 22 Q. And if you're a joint tenant, does that
 23 mean that you have that lease with somebody else,
 24 that you share it?
 25 MR. VILKER: Objection. Calls for a

27 (Pages 102 to 105)

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1 legal conclusion.
 2 MR. PINE: You can answer.
 3 A. No, I don't recall that. I don't know
 4 that.
 5 Q. So you don't know what the concept of
 6 being a joint tenant with somebody else would
 7 mean?
 8 A. No.
 9 MR. VILKER: Same objection.
 10 Q. Do you know what it means to be an
 11 account owner, to own an account?
 12 A. Yes.
 13 Q. Do you know what it means to be a
 14 co-owner with somebody?
 15 A. Yes.
 16 Q. Okay. So the term on Exhibit 5 above
 17 your name where you signed, it says, "Account
 18 Co-Owner"?
 19 A. Yes.
 20 Q. You know what that means?
 21 A. Account co-owner.
 22 Q. Right.
 23 A. Yes.
 24 Q. And that is your signature?
 25 A. Yes.

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1 Q. Raymour force you to sign?
 2 A. No.
 3 Q. Okay. He never forced you to sign
 4 anything, did he?
 5 A. No.
 6 Q. And he explained throughout that he
 7 worked for a generous individual who was willing
 8 to give you money for various expenses, didn't he?
 9 A. For being in hospice and just to me --
 10 he said just for general -- he could give some
 11 money out to people that are dying --
 12 Q. Right. And that was --
 13 A. -- and he was generous.
 14 Q. And that was agreeable to you?
 15 A. Yes.
 16 Q. And you signed various forms because
 17 that was agreeable to you?
 18 A. Yes.
 19 Q. And, in fact, didn't -- didn't your
 20 brother receive a check for \$3500 after he
 21 received the check for \$2000?
 22 A. No.
 23 Q. Okay. Is that the first you've heard of
 24 that?
 25 A. Yes.

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1 Q. I believe you said with respect to
 2 Paragraph 7 of this brokerage account agreement --
 3 Mr. Vilker read Paragraph 7. Do you see that
 4 paragraph?
 5 A. Yes.
 6 Q. And when he asked you a question, when
 7 he was asking you questions about Paragraph 7, I
 8 think you said it sounds like someone gets money
 9 if you die?
 10 A. Yes.
 11 Q. Does that ring a bell?
 12 A. Yes.
 13 Q. Is that your understanding of
 14 Paragraph 7 as you look at it?
 15 A. Yes.
 16 Q. Okay. And that would have been your
 17 understanding of Paragraph 7 if Raymour had
 18 explained it that day too as well, correct?
 19 A. Yes, but I never -- he never explained
 20 me this.
 21 Q. But if he had gone over what it means to
 22 be a joint tenant as the document reflects, you
 23 would understand, based on Paragraph 7, what
 24 Paragraph 7 means, that somebody may get money if
 25 you pass away?

Page 109

1 MR. VILKER: Objection.
 2 A. Yes, but it was all today that I seen
 3 it.
 4 Q. I understand that's your testimony but
 5 you do understand the meaning of that paragraph
 6 based --
 7 A. Yes, now --
 8 Q. -- on what I've shown you?
 9 A. Yes, I know.
 10 Q. Okay. Did -- in your meetings with
 11 Mr. Vilker or Agent McDaid, did anybody ever
 12 suggest to you that you did anything wrong by
 13 signing these documents or receiving that money?
 14 A. No.
 15 Q. You don't believe you did anything
 16 wrong, do you?
 17 A. No.
 18 Q. All right. And Exhibit 5, which I
 19 showed you before and you signed, is a one-page
 20 document. You would agree that that was presented
 21 to you as a one-page document, correct?
 22 MR. VILKER: Objection.
 23 MR. PINE: You can answer.
 24 A. This was all together with all the
 25 papers when I signed it.

Page 110

1 Q. Right. And that page is familiar to you
2 because you've seen it before?
3 A. No. I just signed it. I'm not familiar
4 with it.
5 Q. Okay. You don't recognize it?
6 A. No. I just signed it.
7 Q. Okay. And when -- when you signed it on
8 the day that it reflects, were you given an
9 opportunity to read it by Raymour?
10 A. No. No. He explained to me that it was
11 all for the funeral expenses and the \$2000 --
12 Q. Okay. But --
13 A. -- so all these papers I signed them
14 believing that.
15 Q. Right. But did you have a chance to
16 read that page when you signed it?
17 A. If I -- if I would want to, yes.
18 Q. Right. He didn't just present it in one
19 second and snatch it away, did he?
20 A. No. I just signed it.
21 Q. Right. So you had a chance to read it
22 if you chose to, didn't you?
23 A. Yes.
24 MR. PINE: Okay. One moment, please.
25 (P A U S E)

Page 112

1 proceeds from any check that Melvin received in
2 2008 other than the \$2000 that you talked about?
3 A. No. Just the \$2000.
4 Q. Okay. Did Melvin handle your money
5 affairs for you?
6 A. He just cashed my check or something.
7 Q. In other words, if you got an SSI check
8 or whatever --
9 A. Yeah.
10 Q. -- Melvin would be the one dealing with
11 that?
12 A. Yes.
13 Q. Okay. And from that -- for a check that
14 you would have received, would Melvin give you a
15 portion of that check so that you could use it on
16 your own?
17 THE WITNESS: My check?
18 MR. PINE: Yes.
19 A. Yes. It was all given to me to pay all
20 of my bills.
21 Q. Yes. Okay. And did you actually have
22 any kind of a checking account to write your bills
23 with -- pay your bills with?
24 A. No. I just pay them. Cash, money
25 orders.

Page 111

1 BY MR. PINE:
2 Q. After you received the check that was
3 made out to Melvin for the \$2000, do you know what
4 Melvin did with that -- with that money?
5 A. Yes.
6 Q. Did he pay certain expenses?
7 A. We bought some things.
8 Q. Okay. Did you pay for any funeral
9 expenses with it?
10 A. No.
11 Q. You used it for other things that you
12 chose to use it for?
13 A. Yes.
14 Q. And so when Raymour was offering you
15 additional money, what was your intention on what
16 to do with it?
17 A. Put it away.
18 Q. Okay. When he gave you the 550 in cash
19 at the hospital, what did you do with it?
20 A. Paid some bills.
21 Q. And you said you were unaware of any
22 check being written to Melvin in early March of
23 2008?
24 A. No.
25 Q. Okay. Did you receive any -- any of the

Page 113

1 Q. Now, you said that your injury occurred
2 in 1994 --
3 A. Yes.
4 Q. -- correct? And that you've been
5 confined to a wheelchair since that time?
6 A. Yes.
7 Q. Going back probably 15 years or so?
8 A. Yes.
9 Q. Since that time, am I correct by saying
10 that you've had several arrests and court matters?
11 A. Yes, I have.
12 Q. Okay. Am I correct that in 1999 you
13 received a three-year suspended sentence with
14 three years probation for selling firearms to a
15 minor?
16 MR. VILKER: Objection. Inadmissible
17 under Rule 609 and Rule 403 but you can answer the
18 question.
19 Q. Am I correct that you are the same
20 individual Edwin Rodriguez --
21 A. Yes.
22 Q. -- that received a three-year suspended
23 sentence and three years probation on March 1st,
24 1999 for selling firearms to a minor?
25 MR. VILKER: Same objection.

Page 114

1 A. Yes.
 2 Q. That's you?
 3 A. Uh-hum.
 4 Q. And that was in Providence Superior
 5 Court?
 6 A. Yes.
 7 Q. Okay. And on that same day, did you
 8 also receive three years suspended sentence and
 9 three years probation for charges of felony
 10 assault and conspiracy on a Providence case as
 11 well?

12 MR. VILKER: Same objection.

13 A. Yes. It was the -- the charges for
 14 the -- for the gun, for the -- selling the gun to
 15 a minor, they were dropped. They told me if I
 16 don't get in trouble in six months, that I'll be
 17 okay and then I got in trouble by being in a car
 18 with my brother and somebody else and that's what
 19 they charged me with. Since it didn't -- it
 20 didn't -- it didn't go to six months, they'll put
 21 you -- you gotta get -- take the charge --

22 Q. Okay.
 23 A. -- 'cause I signed it.
 24 Q. So -- so you agree with me that on
 25 March 1st, 1999 you received three years

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1 A. No.
 2 Q. -- is that you?
 3 A. I didn't do 90 days.
 4 Q. Okay. Have you ever served prison time?
 5 A. Yes, when I -- I had the gun charges.
 6 Q. Okay. And how much time did you serve
 7 on the gun charges?
 8 A. Since they gave me six months -- I had
 9 probation, they gave me six months and that -- and
 10 if I do the six months, the charges would be
 11 dropped.
 12 Q. So did you serve?
 13 A. I -- I served a month.
 14 Q. You served a month? At the ACI?
 15 A. Yes, I did.
 16 Q. Okay. And then you were released?
 17 A. Yes.
 18 Q. And did you serve at Minimum Security?
 19 A. Yes.
 20 Q. And in 2002, did you receive one year
 21 suspended, one year probation for violating a no
 22 contact order in Kent County District Court?
 23 A. Yes.
 24 Q. And who was that no contact order
 25 relating to?

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1 suspended, three years probation --
 2 A. Yes.
 3 Q. -- on charges of selling firearms to a
 4 minor as well as felony assault and conspiracy; is
 5 that correct?

6 A. Yes.

7 MR. VILKER: I would like to object to
 8 every question, and have a standing objection to
 9 any question on this witness's criminal history as
 10 being inadmissible, so I don't have to object to
 11 every question.

12 Q. And in May of 2007, did you receive one
 13 year suspended sentence and one year probation on
 14 a charge of simple assault out of Kent County
 15 State Court in Rhode Island?

16 A. Yes.

17 Q. In 1996, on September 3rd, did you
 18 receive one year suspended and one year probation
 19 on a charge of domestic assault in Providence
 20 District Court?

21 A. I believe so. I don't -- I don't recall
 22 that.

23 Q. Well, would it refresh your memory that
 24 you were violated on that charge and wound up
 25 doing 90 days, is that --

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1 A. My girlfriend. She came over and the
 2 cops came and she was there.
 3 Q. Okay. And she had taken out a no
 4 contact order against you?
 5 A. No. They -- they put it for domestic
 6 dispute. The -- the -- when you go to court
 7 for -- for charges like that, they just put it on.
 8 Q. Right.
 9 A. She tried to take it out but they
 10 didn't -- she didn't get it.
 11 Q. And, in fact, had you gone to court for
 12 domestic dispute involving her?
 13 A. No, I wasn't -- domestic dispute, yes.
 14 Q. Yes --
 15 A. Yes.
 16 Q. -- you did. And that's why the no
 17 contact order issued?
 18 A. Yes.
 19 Q. All right. And you had prior domestic
 20 assaults before this one, isn't that correct?
 21 A. No, domestic -- domestic assault, no.
 22 Q. Did you have one in 1995 where you --
 23 where you received one year probation on a
 24 domestic assault?
 25 A. No, I don't recall that.

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1 Q. That's not you? And in 2002, did you
2 pay a fine on a charge of domestic vandalism?
3 A. Yeah. That was the domestic dispute.
4 Q. Okay.
5 A. I stabbed her -- the tire.
6 Q. You stabbed her at the time?
7 A. No. I stabbed a tire, a tire.
8 Q. Okay. What did you do?
9 A. It was an -- it was an argument and back
10 and forth and she said that she wasn't going to
11 take my daughter to see her mother.
12 Q. So you vandalized her tire?
13 A. Yes, I did.
14 Q. With a weapon?
15 A. A little knife.
16 Q. A knife. Okay. When you met with
17 Raymour in early 2009, he presented you with an
18 additional form to sign, did he not?
19 A. Yes.
20 Q. And how did that meeting come about?
21 Did he call you or did you call him?
22 A. No, he called my brother.
23 Q. Okay. He called your brother and do you
24 know what that conversation was about with your
25 brother?

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1 A. My brother just told me if you -- if I
2 wanted to do the papers again for a little bit
3 more money to help me out.
4 Q. Okay. So your brother related to you
5 that -- something to the effect that Raymour is
6 going to come around, he's going to offer you some
7 more money and you have to sign some paperwork?
8 A. Yes.
9 Q. And that was okay with your brother?
10 A. Yes.
11 Q. He didn't object to that?
12 A. No.
13 Q. And he didn't express any disapproval of
14 that to you, did he?
15 A. No.
16 Q. And you were agreeable to that?
17 A. Yes, I did.
18 Q. So as a result of that conversation, and
19 any conversation you had with your brother,
20 Raymour came to the New Bedford facility where you
21 were recuperating at that time, is that right, in
22 January 19 -- January of 2009?
23 A. Yes. New Bedford Rehab Center.
24 Q. Right. And, in fact, he presented you
25 with this form, both pages, which is Exhibit 7, in

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1 January of 2009, did he not?
2 A. Yes. I believe so.
3 Q. Okay. And, in fact, your signature
4 appears on the second page, right?
5 A. Yes.
6 Q. And if you flip it, your initials appear
7 on the first page?
8 A. Yes.
9 Q. And those initials signify that you read
10 and understand the document?
11 MR. VILKER: Objection.
12 Q. Don't they?
13 A. No, I never read it.
14 Q. Well, of the many times that you were
15 arrested, were you ever presented with a Miranda
16 rights form by any of the police officers who
17 arrested you?
18 MR. VILKER: Objection.
19 A. What do you mean by that?
20 Q. When they gave -- when you were arrested
21 on those times, did they ever read you your rights
22 and, in fact, present you with a form?
23 MR. VILKER: Objection.
24 A. Yes.
25 Q. You are familiar with that form, right?

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1 A. I believe so. I don't know.
2 Q. It has the Miranda rights, you have the
3 right to remain silent?
4 A. Yes.
5 Q. All right. You've seen that, correct?
6 A. Yes.
7 Q. Were you ever asked to initial that form
8 or sign that form?
9 A. In court? Yes.
10 Q. No. Either in court or at the police
11 station.
12 A. No.
13 Q. You were never asked to sign or initial
14 that kind of form?
15 A. No.
16 Q. Would you agree that when somebody signs
17 or initials a particular form, it's done so to
18 show that they read the form?
19 MR. VILKER: Objection.
20 A. No. He explained to me that it was the
21 same thing.
22 Q. The same thing as a year ago?
23 A. Yeah, for more money but it wouldn't be
24 2000; it would probably be something around that.
25 Q. Right. But you initialed a particular

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1 paragraph that says, "I understand as the named
2 annuitant in this variable annuity contract, I am
3 not contributing any funds to the annuity
4 contract, and I have no rights of ownership."
5 That's where your initials appear on that form?
6 A. Yeah. He just told me to put initials
7 there.
8 Q. Did he tell you where to put the
9 initials or did you decide where to put the
10 initials?
11 A. No. I just put them there.
12 Q. Okay. And the top paragraph of that
13 form says, "That I am of sound mind and I am
14 entering into this agreement voluntarily and I
15 consent to be the contract annuitant out of my own
16 free will and without duress." Do you disagree
17 with that language?
18 MR. VILKER: Objection.
19 Q. Do you have any disagreement with that?
20 A. No, I'm not.
21 Q. You don't disagree with that?
22 A. Could you read it again?
23 Q. It says, "That I am of sound mind and I
24 am entering into this agreement voluntarily and I
25 consent to be the contract annuitant out of my own

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1 Q. But short term?
2 A. Yes.
3 Q. When the papers went through, that's
4 what I mean upfront.
5 A. Yeah.
6 Q. And you understood that you were going
7 to be getting additional money upfront --
8 A. Yes.
9 Q. -- isn't that correct?
10 A. Yes.
11 Q. And he didn't force you to sign these
12 papers, did he?
13 A. No.
14 Q. You did so voluntarily of your own free
15 will?
16 A. Yes.
17 Q. You are an intelligent person; you
18 understand what it means to sign documents, don't
19 you?
20 MR. VILKER: Objection.
21 A. Yes, but I didn't read them.
22 Q. Well, but you signed them and you
23 initialed this one --
24 A. Yes.
25 Q. -- didn't you?

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1 free well and without duress." That's what it
2 says, right?
3 MR. VILKER: Objection --
4 A. Yes.
5 MR. VILKER: -- to that's what it says.
6 He can testify that's what it says but he's
7 already testified that he had no idea what he was
8 signing.
9 A. I -- I didn't read nothing, none of
10 that.
11 MR. PINE: We'll let him testify for
12 now.
13 A. I didn't read none of those pages. I
14 just signed them and that was it. He told me it
15 was the same thing as the last time.
16 Q. But you signed it because you thought
17 you were going to get additional money upfront,
18 didn't you?
19 A. No, not upfront. He said in the -- when
20 all these papers go through, he would send a check
21 again.
22 Q. In the short term?
23 A. Yes.
24 Q. Not years down the road?
25 A. No.

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1 A. Yes.
2 Q. Okay. And do you recall how long the
3 meeting lasted at the New Bedford facility on
4 January 14th, 2009?
5 A. About twenty minutes, half an hour.
6 Q. Okay. Twenty minutes?
7 A. Uh-hum.
8 Q. And during the course of that
9 conversation or meeting, did Raymour talk about
10 anything else besides this particular form?
11 A. No.
12 Q. Just talked about this, this -- this
13 offer?
14 A. Yes. He said it was the same thing as
15 the last time --
16 Q. Okay.
17 A. -- to receive some money, and I signed
18 them.
19 Q. Right. And when -- I think you said on
20 direct examination that you didn't understand at
21 the time -- or you said something like why would
22 I -- why would I give my approval so that somebody
23 could get money from me; do you remember saying
24 that to Mr. Vilker?
25 A. Yes.

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1 Q. What did you understand or who told you
2 that somebody was going to be getting money from
3 you?
4 A. I understand it now.
5 Q. What do you understand now?
6 A. That he was supposedly going to get
7 money. I didn't know that.
8 Q. From you?
9 A. Yes.
10 Q. You were going to pay him money?
11 A. No. He was going to get money
12 supposedly on my death.
13 Q. Right. But you weren't -- you weren't
14 contributing any money to him, were you?
15 A. No.
16 Q. You didn't have any money to
17 contribute --
18 A. No.
19 Q. -- to him?
20 A. No.
21 Q. So that nobody was getting money from
22 you, were they?
23 MR. VILKER: Objection.
24 A. I don't know that.
25 Q. Well, did Raymour ever ask you for any

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1 Q. She said that?
2 A. Yes, it's against the law.
3 Q. Okay.
4 A. If you -- if you don't know what you're
5 signing, that's against the law.
6 Q. But she suggested to you that that
7 process by which you signed this was against the
8 law, is that -- that's what you just said?
9 MR. VILKER: Objection.
10 A. No. That all this -- if he -- if you
11 are doing this and you don't know that you sign
12 all this, that's against the law.
13 Q. Okay. And that's what she told you?
14 A. Uh-hum.
15 MR. PINE: Okay. If I could just have a
16 moment.
17 (P A U S E)
18 BY MR. PINE:
19 Q. Do you know if sometime in 2008 if Joni
20 Fortin ever called Raymour to ask if he could help
21 you out to get a felony cleared from your record?
22 MR. VILKER: Objection.
23 A. No, I don't recall that.
24 Q. Did you know if she ever called Melvin
25 for that reason?

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1 money?
2 A. No.
3 Q. You never gave Raymour any money?
4 A. No.
5 Q. And who suggested to you that -- who
6 first suggested to you that, by the way, do you
7 know that they were going to get some money if you
8 passed away? Who first said that to you?
9 A. When I saw all the -- the FBI.
10 Q. Right. What did she tell you?
11 MR. VILKER: Objection.
12 A. She -- she -- she asked me all the
13 questions, why did I sign them, how did I read
14 them. And then I asked, what was this about, and
15 she said you signed some papers releasing
16 supposedly him for -- when I die, some -- for him
17 to receive money for me for my death. That was
18 the first time I knew all about this.
19 Q. And did she tell you that that was
20 illegal?
21 MR. VILKER: Objection.
22 Q. Did she express to you that that was
23 against the law?
24 MR. VILKER: Objection.
25 A. Yes.

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1 MR. VILKER: Objection.
2 A. No.
3 Q. Did Melvin ever talk to you about that
4 possibility?
5 MR. VILKER: Objection.
6 A. No.
7 Q. In addition to the medications that are
8 prescribed to you, during 2008, did you ever use
9 drugs on a recreational basis?
10 A. No.
11 Q. Prior to 2008?
12 A. No.
13 Q. Did you ever use narcotics, illegal
14 narcotics?
15 A. No. I just use my -- my pills.
16 Q. Just yours?
17 A. Yes.
18 Q. So you weren't present at any point in
19 time when Melvin referred to that with Raymour?
20 MR. VILKER: Objection.
21 A. No.
22 Q. And so if Melvin -- if Melvin said that
23 he was concerned that you would spend the money on
24 junk --
25 MR. VILKER: Objection.

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1 Q. -- do you have any idea what he was
2 referring to?

3 MR. VILKER: Objection.

4 A. No. He was living with me, my brother;
5 he knew what I was doing.

6 Q. Okay. And it's your testimony that you
7 didn't use any of your money for recreational
8 narcotics?

9 A. No.

10 Q. When you -- when you signed Exhibit 7
11 that I've shown you before -- that's the one I
12 showed you before from January of 2009 --

13 A. Yes.

14 Q. -- were you paid any money at that time?

15 A. Yes. \$250 in cash.

16 Q. Was Melvin paid any money at that time?

17 A. No.

18 MR. PINE: Nothing further. Thank you.

19 MR. VILKER: Do you want to take a
20 little break?

21 THE WITNESS: No. It's okay.

22 MR. VILKER: You're okay to keep going?
23 Okay. We'll switch attorneys.

24 VIDEOGRAPHER: Shall we go off the
25 record? The time is 1:30. We'll go off the

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1 A. He -- he explained that it was for the
2 \$2000.

3 Q. And was it filled in or was it blank at
4 the time he showed it to you?

5 A. Umm...

6 Q. Do you remember?

7 A. I believe it was -- I don't know if it
8 was blank or filled in.

9 Q. You can't remember which?

10 A. No.

11 Q. But you do remember him showing you the
12 document and explaining it to you?

13 A. Yes. He said this is -- all the papers
14 were together and this was in the front.

15 Q. All right. And is this the document
16 that your brother Melvin signed on your behalf?

17 A. Yes.

18 Q. And did you authorize him to do that?

19 A. Yes. Because he was going to -- he
20 asked if I had a bank account; I said no.

21 Q. So you told Raymour it was okay for
22 Melvin to sign this for you?

23 A. Yes, I told him.

24 Q. And did you authorize him to go and cash
25 the check for \$2000?

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1 record.

2 (Off the record discussion.)

3 VIDEOGRAPHER: The time is 1:35. We're
4 back on the record.

5 EXAMINATION

6 BY MR. FLANDERS:

7 Q. Good afternoon, Mr. Rodriguez.

8 A. Good afternoon.

9 Q. My name is Robert Flanders and I'm an
10 attorney representing Joseph Caramadre.

11 A. Okay.

12 Q. I'm going to ask you to take a look at a
13 document that the government marked as Exhibit 1
14 for identification. This document is entitled
15 Terminal Illness Philanthropy Account Receipt?

16 A. Yes.

17 Q. Is this a document that you reviewed
18 with Mr. Raymour Radhakrishnan in early 2008?

19 A. Yes, I believe so.

20 Q. And did you read that document?

21 A. He showed me the first paragraph,
22 explained what -- what it was, some of the things
23 were for.

24 Q. He did show it to you and explained it
25 to you?

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1 A. Yes, I did.

2 Q. So if we look at Exhibit 2, which is the
3 check itself that I'm handing you, that's made out
4 to Melvin Rodriguez for \$2000 and it's dated
5 February 26th, 2008 and that was for philanthropy
6 it says?

7 A. Yes.

8 Q. And you see it's signed by Joseph
9 Caramadre?

10 A. Yes.

11 Q. And you authorized this check to be made
12 out to Melville so he could cash it for you?

13 A. Yes.

14 Q. To Melvin. I'm sorry.

15 A. Yes.

16 Q. And, to your knowledge, did Melvin, in
17 fact, cash that check?

18 A. Yes, he did.

19 Q. And that was -- that was for the \$2000
20 that you were going to get for being somebody that
21 would be eligible for this kind of a payment
22 because you were sick?

23 A. Yes.

24 Q. But in addition to this document that
25 Raymour showed you, he also showed you other

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1 documents when -- when you met with him in early
 2 2008, right?
 3 A. There were some -- there were some all
 4 together.
 5 Q. Okay. And was one of the documents that
 6 you were shown this Exhibit 3?
 7 A. No. I don't think so. I don't remember
 8 this.
 9 Q. You don't remember seeing that?
 10 A. No.
 11 Q. If you look at Exhibit 3, which is
 12 entitled Agreement and Acknowledgement, on Page 3,
 13 if you turn to the third page --
 14 A. Uh-hum.
 15 Q. -- is that your signature?
 16 A. Yes. Yes, it is.
 17 Q. All right. So you don't deny that you
 18 signed this document?
 19 A. Yes, I signed this.
 20 Q. Okay. And do you remember whether this
 21 document had any of the writing filled in on it
 22 other than your signature when you signed it?
 23 A. No.
 24 Q. You don't remember?
 25 A. I don't think -- I don't think it had

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1 A. No.
 2 Q. You are not aware that your brother was
 3 paid \$3500 on account of signing this document?
 4 A. No.
 5 Q. I'm going to show you this document that
 6 the government marked Exhibit 13.
 7 Do you see Exhibit 13 is a check dated
 8 March 4th payable to your brother Melvin?
 9 A. Yes.
 10 Q. And that's the same amount as shown on
 11 the agreement and acknowledgement that's been
 12 marked as Exhibit 3?
 13 A. Yes.
 14 Q. And, in fact, it's dated the same date
 15 as this agreement, isn't it, March 4th?
 16 A. What do you mean? The check and this?
 17 Q. The check and the agreement and
 18 acknowledgement, which is Exhibit 3, they are both
 19 dated March 4th, aren't they?
 20 A. No. This one is dated the seventh, the
 21 check.
 22 Q. I'm sorry. It's dated the seventh.
 23 Okay. And what does it say in the line beneath
 24 it? It says a new account, do you see that?
 25 A. Yes.

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1 everything. All the papers, I believe, were
 2 blank.
 3 Q. Okay. Was -- was the front page blank
 4 as well?
 5 MR. VILKER: Objection.
 6 A. I don't think I seen this first page.
 7 Q. How do you know whether you saw it?
 8 A. I don't -- that's what I'm saying, I
 9 don't think I seen it.
 10 Q. Because you have no memory of seeing it?
 11 A. No, I just don't remember seeing this
 12 \$3000, all this, no. I don't think I've seen
 13 this.
 14 Q. It says \$3500 there, right?
 15 A. Yes. I don't remember seeing none of
 16 this.
 17 Q. Was that blank when you looked at it?
 18 A. I'm telling you I don't remember seeing
 19 this page.
 20 Q. Do you remember that \$3500 was paid on
 21 account of this?
 22 A. No.
 23 Q. Do you know that you got extra money
 24 beside the \$2000 that was paid to your brother
 25 Melvin?

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1 Q. Are you saying that Melvin never
 2 received this?
 3 A. To my knowledge, no.
 4 Q. If he did, he never told you about it?
 5 A. No.
 6 Q. But you received some additional money
 7 beyond the 2000, correct?
 8 A. Yes.
 9 Q. And what did you understand that
 10 additional money was for, for signing these
 11 papers?
 12 A. No. Out of generous from him.
 13 Q. But you had to sign -- you knew you had
 14 to sign some additional papers to get that money?
 15 A. No. The 550 I didn't sign no more
 16 papers.
 17 Q. Well, you signed all of these papers,
 18 didn't you?
 19 A. Yeah. The 2009 you're saying?
 20 Q. The 2008. You signed a bunch of papers?
 21 A. Yes.
 22 Q. And one of them was Exhibit 3 which is
 23 this Agreement and Acknowledgement?
 24 A. Which one, the one in the back you're
 25 saying? Yes.

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1 Q. Exhibit 3, you signed that document?
 2 A. Yes, it's my signature.
 3 Q. And you also signed the Government's
 4 Exhibit 4 which is an Account Application
 5 document, didn't you?
 6 A. Where?
 7 Q. On the second page.
 8 A. Yes, I did.
 9 Q. And you signed it on or about March 4th
 10 of 2008?
 11 A. I don't think the -- the date was on it.
 12 Q. When did you sign it, as best as you can
 13 remember?
 14 A. I think I signed all these papers the
 15 same date --
 16 Q. Okay.
 17 A. -- I received the first time.
 18 Q. And when you signed this, did it have
 19 the first page on it?
 20 A. I don't think so.
 21 Q. When you signed it, did it have next to
 22 your name "Account Co-Owner" as it does now?
 23 A. Yeah, if it --
 24 Q. Was that there when you signed it?
 25 A. Yes.

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1 Q. In the big block letters next to the No.
 2 9 above your signature did it have "Account
 3 Agreement" there?
 4 A. Yes.
 5 Q. Those were on the document when you
 6 signed it?
 7 A. Yes. They had to be.
 8 Q. Well, they wouldn't have to be --
 9 A. Yeah, they had to be --
 10 Q. -- but it was?
 11 A. -- because it was there.
 12 Q. It was there, as far as you remember?
 13 A. I don't -- I didn't read them, none of
 14 these.
 15 Q. But did Raymour block it out so you
 16 couldn't read it?
 17 A. No. He just explained it was all for
 18 the money. That's about it.
 19 Q. Did he tell you not to read it?
 20 A. No.
 21 Q. And your recollection, as you testified
 22 here today under oath, is that those words
 23 "Account Agreement" were there?
 24 A. I don't -- I don't recall. It probably
 25 was there. I didn't read none of this.

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1 Q. And the account owner's signature -- I'm
 2 sorry -- account co-owner's signature was next to
 3 your name at the time -- at the time you signed
 4 it?
 5 A. It had to be.
 6 Q. And if you look at the third page of
 7 this Exhibit 4 --
 8 MR. VILKER: Could I suggest that if
 9 you're done with other documents, take them back
 10 from the witness so he doesn't have to --
 11 MR. FLANDERS: Sure.
 12 MR. VILKER: -- struggle with them,
 13 please?
 14 MR. FLANDERS: Keep Exhibit 4 if you
 15 would.
 16 THE WITNESS: Which one?
 17 Q. If you look at the last page of
 18 Exhibit 4 --
 19 A. Yes.
 20 Q. -- it's the same one you signed on the
 21 second page but you also --
 22 A. The last page or the second page?
 23 Q. I'm sorry. The second -- the third page
 24 of Exhibit 4.
 25 A. Yes.

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1 Q. That bears your signature, does it not?
 2 A. Yes.
 3 Q. And, again, next to your signature it
 4 says, "Account Co-Owner"?
 5 A. Yes.
 6 Q. That was on the document when you signed
 7 it?
 8 A. I didn't read it.
 9 Q. It was -- to your knowledge, was it
 10 there?
 11 A. I don't know. I didn't read it. I just
 12 signed them.
 13 Q. Did you deliberately make the decision
 14 not to read them?
 15 A. Yes, because he explained to me that it
 16 was all for the funeral expenses --
 17 Q. But did he -- did he --
 18 A. -- and the money. That was about it.
 19 Q. -- but did he in any way tell you not to
 20 read the documents?
 21 A. No. He just explained to me before I
 22 signed them.
 23 Q. He explained to you that this was money
 24 you could use for your funeral expenses?
 25 A. Money for -- for the \$2000 and for the

36 (Pages 138 to 141)

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1 funeral expenses.
 2 Q. So in addition to the \$2000, there was
 3 going to be money for your funeral expenses?
 4 A. Yes.
 5 Q. And do you understand that, in fact, you
 6 were paid money for the funeral expenses?
 7 A. I believe so.
 8 Q. And you wanted to receive that money,
 9 right?
 10 A. No, I believe they went to the funeral.
 11 Q. But you wanted him to pay for your
 12 funeral expenses?
 13 A. They -- they offered, yes.
 14 Q. And you wanted to receive -- you wanted
 15 him to do that?
 16 A. Sure.
 17 Q. And, in fact, your understanding is he
 18 did do that?
 19 A. I believe so.
 20 Q. And you were grateful for him doing it?
 21 A. Of course.
 22 Q. And you signed these documents because
 23 you wanted him to do that?
 24 A. Yes.
 25 Q. And you made the decision, when you

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1 even bigger letters it says, "Options Account"?
 2 A. Yes.
 3 Q. Were those on the document when you
 4 signed it?
 5 A. They probably were. I didn't read it.
 6 MR. FLANDERS: Okay. Thank you.
 7 Q. Showing you Exhibit 5. The document
 8 says, "Limited Trading Authorization." Does this
 9 document bear your signature on the upper right
 10 under Account Co-Owner?
 11 A. Yes.
 12 Q. And did you sign it at the same meeting
 13 you've been testifying about with Raymour the
 14 first time you met with him?
 15 A. Yes.
 16 Q. And do you see under -- the words
 17 "Account Co-Owner" above your signature?
 18 A. Yes, I do.
 19 Q. Were those words there when you signed
 20 this?
 21 A. They probably were. I didn't read them.
 22 Q. And was the word Limited Trading
 23 Authorization in block capped letters at the top?
 24 A. Yeah, they're there.
 25 Q. Did Raymour tell you not to read this?

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1 signed the documents, that I don't -- I'm not
 2 going to read them; I'll just sign them?
 3 A. Yes, because he explained that it was
 4 all for that. Seemed like a nice guy and -- and
 5 they told me that he already done it for other
 6 people, so it was okay.
 7 Q. Who told you that?
 8 A. The social worker that they -- he had
 9 done it.
 10 Q. When you signed the third page of
 11 Exhibit 4, did you see where -- next to No. 12 it
 12 says, "Options Account Agreement"?
 13 A. Which one?
 14 Q. Exhibit 4 that is in your hand, Page 3.
 15 A. Page 3, this one? Yes.
 16 Q. The one with your signature on it?
 17 A. Yes. There's two of them though with
 18 signature.
 19 Q. It's Page 3, the third page.
 20 A. The second and the third, yes.
 21 Q. And do you see where it says, "Options
 22 Account Agreement" after No. 12 right above your
 23 signature?
 24 A. Yes.
 25 Q. And do you see at the top of the page in

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1 A. No.
 2 Q. Did he prevent you from reading it in
 3 any way?
 4 A. No.
 5 Q. Did he tell you this was a different
 6 document than what it was?
 7 A. No. He said all these papers are for
 8 the money and the funeral expenses.
 9 Q. And they were for the money and the
 10 funeral expenses, weren't they?
 11 A. Yes.
 12 MR. VILKER: Objection.
 13 A. Supposedly that's what it was for.
 14 Q. Well, you did get money, didn't you?
 15 A. Yes.
 16 Q. And you did get your funeral expenses
 17 paid, didn't you?
 18 A. I believe so, yeah.
 19 Q. And you were willing to sign these
 20 documents to make that happen?
 21 A. Yes.
 22 Q. And you didn't even want to read them
 23 you so much wanted that money and the funeral
 24 expenses paid, right?
 25 A. He just seemed like a nice guy. They

1 told me he'd done it already, so it was okay with
 2 me.
 3 Q. Showing you Exhibit 6 that the
 4 government marked for identification. This is a
 5 document that on the first page under title it
 6 says, "Ameritrade Margin/Options Account Upgrade
 7 Form"?
 8 A. Yes.
 9 Q. If you turn to the third page of the
 10 Government's Exhibit 6, there are signature lines
 11 and one of them appears to bear your name --
 12 A. Yes.
 13 Q. -- is that your signature?
 14 A. Yes, it is.
 15 Q. Is this one of the documents you signed
 16 when you first met with Raymour?
 17 A. My signature is there, so yes, I did
 18 sign.
 19 Q. When you signed this, did you notice
 20 that next to your name it says, "Account
 21 Owner/Authorized Agent Signature"?
 22 A. No. I didn't read it.
 23 Q. Was it there when you signed it?
 24 A. I don't know. I didn't read it.
 25 Q. So are you telling us that no matter

1 Q. And there's one other document that you
 2 signed, Government Exhibit 7, which I'll hand you
 3 now entitled Annuitant Acknowledgement?
 4 A. Yes. For my initials.
 5 Q. And so you initialed the first page you
 6 told us and then you also signed the second
 7 page --
 8 A. Yes.
 9 Q. -- didn't you?
 10 A. Yes.
 11 Q. And right underneath your signature on
 12 the second page it says, "Annuitant's Signature"?
 13 A. Yes.
 14 Q. Was -- was this document -- were those
 15 words on it when you signed it?
 16 A. Yes, they were but I didn't -- I don't
 17 know why -- I didn't know what that means. I
 18 didn't think it was all for this.
 19 Q. Right next to your initials on the first
 20 page, it says, "I understand that as the named
 21 annuitant in this variable annuity contract, I am
 22 not contributing any funds to the annuity
 23 contract."
 24 Let's just stop right there. Did you
 25 contribute any funds to this annuity contract?

1 what was in these documents, you didn't read them?
 2 A. No. Because he explained to me that it
 3 was for this first page so I signed all these
 4 papers just for the funeral expenses and the --
 5 the \$2000.
 6 Q. But it was -- you got more than 2000,
 7 didn't you?
 8 A. Yes. After -- after that, he gave me
 9 500 in cash and that's -- he said that's the last
 10 time we'll see each other probably.
 11 Q. So you did -- you did get additional
 12 money after you signed these documents?
 13 A. Yes. He visited me in the hospital.
 14 Q. Then you told us that after you -- he
 15 paid a visit to you in the hospital and gave you
 16 \$550 in cash, you had another visit from him, is
 17 that right?
 18 A. Yes. In 2009.
 19 Q. Okay. And on that occasion, he wanted
 20 you to sign more documents, is that right?
 21 A. Yes. For the same thing, for more
 22 money.
 23 Q. Okay. So you knew to get more money you
 24 had to sign more documents?
 25 A. Yes.

1 A. No.
 2 Q. Were you asked to contribute any funds
 3 to this annuity contract?
 4 A. No.
 5 Q. In fact, you never contributed any funds
 6 to any contract that you may have signed, is that
 7 right?
 8 A. No.
 9 Q. On the contrary, you received money for
 10 the things that you signed, is that right?
 11 A. Yes.
 12 Q. And you and your brother, to the extent
 13 you authorized him to receive the payments, are
 14 thousands of dollars richer because of the fact
 15 that Raymour -- Raymour came into your life,
 16 correct?
 17 A. Yes. He said that he was working for a
 18 wealthy man.
 19 Q. And you received the money from Raymour
 20 but you never gave him any money, is that right?
 21 A. No.
 22 Q. So as far as Raymour is concerned and
 23 whoever was -- he was working for, they did right
 24 by you, is that right?
 25 MR. VILKER: Objection.

1 A. To my knowledge up to now.
 2 Q. When you say up to now --
 3 A. Because now I understand that this is
 4 all for when I die they receive money off my
 5 death.
 6 Q. And who told you that?
 7 A. When I -- when I came -- when I saw
 8 the -- when she -- when she explained to me.
 9 Q. Who is "she"?
 10 A. The -- the agent.
 11 Q. Mrs. -- Ms. Pamela McDaid?
 12 A. Yes.
 13 Q. The FBI agent?
 14 A. Yes.
 15 Q. She explained all this to you?
 16 A. Yes.
 17 Q. When did she explain all this to you?
 18 A. The first time that we met.
 19 Q. And when was that?
 20 A. About three weeks ago.
 21 Q. And she came in and said to you that
 22 what -- what did she say to you?
 23 MR. VILKER: Objection.
 24 A. She -- she asked me if I knew who
 25 Raymour was. She showed me a picture. I said,

1 "Yes, he was -- he was -- I met him a couple of
 2 times and he helped me out."
 3 And she was like, "Well, tell me what
 4 happened." And I -- I explained to her what
 5 happened. And then she -- I asked her what was it
 6 about and when I -- she -- she told me what was it
 7 about.
 8 Q. Did she suggest to you that something
 9 wrong had gone on here?
 10 MR. VILKER: Objection.
 11 MR. MacFADYEN: Objection.
 12 A. No. She said they put money for my
 13 death when I die. That they -- I sign papers
 14 without knowing that it was for money for when I
 15 die, they'll get money.
 16 Q. She suggested to you that if you signed
 17 papers that when you die --
 18 A. She said that --
 19 Q. -- they'll get money?
 20 MR. VILKER: Objection.
 21 A. Yeah, that when I die, they'll --
 22 they'll receive money off me. That was the whole
 23 trick that they were doing.
 24 Q. The whole trick that they were doing?
 25 A. Yeah.

1 Q. Is that what she said?
 2 MR. VILKER: Objection.
 3 A. No, the whole -- I'm saying the whole,
 4 everything that they were doing when I signed
 5 these -- all these papers, that's what they were
 6 doing.
 7 Q. And you think it's a trick?
 8 A. Well, they -- they tricked me really
 9 good because I didn't -- I didn't want them to
 10 take money off my death.
 11 Q. And is that the opinion you formed after
 12 talking with Agent McDaid?
 13 A. Yes. Why would I give him and Raymond
 14 money off my death when I got my daughter?
 15 Q. Maybe because they gave you thousands of
 16 dollars to do it?
 17 MR. VILKER: Objection.
 18 A. No, I didn't know none of that.
 19 Q. Pardon me?
 20 A. I didn't know that they was -- that they
 21 were taking.
 22 Q. Did you -- do you know it now?
 23 A. Yes.
 24 Q. Have you attempted to give the money
 25 back, sir?

1 A. No.
 2 Q. Have you attempted to in any way cancel
 3 the contracts?
 4 A. No. I don't know how to do none of
 5 this.
 6 Q. Let me show you Government's Exhibit 8.
 7 Is this another one of the documents that you
 8 signed when -- in 2009 when you met with Raymour?
 9 A. Yes. It got my signature.
 10 Q. And, again, this is a document that
 11 right above your name says, "Annuitant"?
 12 A. Yes.
 13 Q. That was on it when you signed it?
 14 A. It had to be. Even if I read it, I
 15 don't know what annuitant means. I didn't know
 16 what that means.
 17 Q. Did you ask Raymour what it meant?
 18 A. No, I never read it, so I never talked
 19 nothing about that.
 20 Q. So you never asked any questions, you
 21 just signed because you wanted the money?
 22 A. Yeah. It was all about they saying
 23 helping -- helping me out.
 24 Q. And they did?
 25 A. Yeah.

1 Q. But you knew that -- you knew for them
2 to help you out, you had to sign these documents?
3 A. Yes.
4 Q. And you deliberately chose not to read
5 them?
6 A. Yes, because he explained for what it
7 was.
8 Q. Could you take a look at Exhibit 9? Was
9 this another -- a document that you signed in
10 front of Raymour in 2009?
11 A. Which one, this one?
12 Q. Exhibit 9 that you're holding.
13 A. Yeah, probably.
14 Q. And is that another document where you
15 signed right next to your name that says,
16 "Annuitant"?
17 A. Yes.
18 Q. I'm handing you Exhibit 10. Is
19 Exhibit 10 another document that you signed in
20 2009 in front of Raymour?
21 A. Yes.
22 Q. And next to your name does this one also
23 say, "Annuitant's Signature"?
24 A. Yes, it does.
25 Q. But you didn't read this document

1 either, right?
2 A. No.
3 Q. Showing you Exhibit 11. Is this a
4 document that you willingly signed for Raymour?
5 A. Yes.
6 Q. And is Exhibit 11 a document where you
7 also signed as the proposed annuitant?
8 A. Yes.
9 Q. Showing you Exhibit 12 from the
10 government. Is that yet another document that you
11 willingly signed next to a typed-in signature
12 block that says, "Annuitant's Signature"?
13 A. Yes.
14 MR. VILKER: I'm objecting to -- excuse
15 me -- I'm objecting to the word "willingly." I'm
16 not sure exactly what it means.
17 MR. FLANDERS: Well, let's find out.
18 BY MR. FLANDERS:
19 Q. Did you willingly sign these documents?
20 A. Yes.
21 Q. No one forced you to do it?
22 A. No.
23 Q. You did it because you wanted the money
24 for the funeral expenses and the \$2000 that he was
25 giving away to people in your condition --

1 A. Yes.
2 Q. -- correct? So would you agree with me
3 that you signed these willingly?
4 A. Yes.
5 Q. Showing you the government's final
6 exhibit, 14. This is a document that says,
7 "Ameritrade, Joseph Caramadre and Edwin
8 Rodriguez," is that right?
9 A. Yes.
10 Q. And the government showed you numbers
11 that -- in this document \$3 million and so forth,
12 right?
13 A. Yes.
14 Q. Do you know whether any of the
15 investments in this account made money or lost
16 money?
17 A. What do you mean?
18 Q. Do you know whether this account made
19 money for its owners or lost money?
20 A. No.
21 Q. Would it surprise you to know that this
22 money lost -- this account lost thousands of
23 dollars?
24 MR. VILKER: Objection.
25 A. I don't know that.

1 Q. Do you now understand, sir, that you
2 have signed various documents in which you have
3 consented to be an annuitant?
4 MR. VILKER: Objection.
5 A. I -- I signed them but I didn't know
6 that -- I didn't know what annuitant and orders
7 means.
8 Q. Do you now know that you have signed
9 them as an annuitant?
10 MR. VILKER: Objection.
11 A. Now, yes.
12 Q. Did the government, through Ms. McDaid,
13 show you copies of these documents?
14 A. No, not all this.
15 Q. Not all of this?
16 A. No.
17 Q. Did they show you some of them?
18 A. Yes.
19 Q. But not all of them?
20 A. No.
21 Q. Did Ms. McDaid make any representations
22 to you about whether Mr. Caramadre, the
23 philanthropist, was making any money as a result
24 of the documents you signed?
25 MR. VILKER: Objection.

1 A. What was that?
 2 Q. Did Ms. McDaid say anything to you about
 3 whether Mr. Caramadre or Raymour were making any
 4 money off of the documents you signed?
 5 A. No. She said when -- if I -- if I die,
 6 they make money off me.
 7 Q. She said if you died, they'd make money
 8 off you?
 9 MR. VILKER: Objection.
 10 A. Yes.
 11 Q. She didn't tell you that it's possible
 12 that they might lose money?
 13 MR. VILKER: Objection.
 14 A. No.
 15 Q. Or might not make any money?
 16 A. No.
 17 Q. She just told you that when you die,
 18 they'll make money off of you?
 19 MR. VILKER: Objection.
 20 A. Yeah, that's what they were doing.
 21 Q. Did she tell you that they were doing
 22 that with other people as well besides you?
 23 MR. VILKER: Objection.
 24 A. No. I don't think so.
 25 Q. Did she tell you that they were taking

1 advantage of people like you who were sick and
 2 trying to make money off them when they died?
 3 MR. VILKER: Objection.
 4 A. I don't recall that.
 5 Q. You don't recall it but you don't deny
 6 she told you that?
 7 MR. VILKER: Objection.
 8 A. No, I don't -- I don't think she told me
 9 that. She told me that they were doing it to me.
 10 Q. And until she told you that, did you
 11 have any problem or any unfavorable opinion of
 12 Mr. Caramadre or Raymour?
 13 A. No.
 14 Q. You never complained to any of the
 15 authorities about the dealings they had with you?
 16 A. No.
 17 Q. You never went to the FBI or the
 18 government and said, this is a terrible thing
 19 they've done to me?
 20 A. No. I didn't know this. I didn't know
 21 they do this.
 22 Q. As you sit here, do you have any
 23 interest in paying back the money to
 24 Mr. Caramadre?
 25 MR. VILKER: Objection.

1 A. No. It's -- it was a gift supposedly.
 2 Q. So you are not interested in undoing
 3 what's been done?
 4 MR. VILKER: Objection.
 5 A. About the -- them taking money? Yes.
 6 Q. What money? Taking what money?
 7 A. Supposedly if I die.
 8 Q. But they're not taking any money from
 9 you, sir; are they?
 10 A. No, but they are making money off my
 11 death.
 12 Q. And would you give the money back to
 13 stop that from happening?
 14 A. If I had to.
 15 Q. Well, what do you mean if you had to?
 16 MR. VILKER: Objection.
 17 A. If I -- if I had to. I don't know.
 18 Q. You haven't offered to give it back
 19 though, have you?
 20 A. No.
 21 Q. And you don't -- as you sit here, you
 22 don't know whether they're going to make money off
 23 your death or not, do you?
 24 A. Well, it says it here, right?
 25 Q. Pardon me?

1 A. Don't it say it in the papers?
 2 MR. VILKER: Objection.
 3 Q. No. That's what Ms. McDaid told you.
 4 The papers don't say that. That's what she told
 5 you, right?
 6 MR. VILKER: Objection.
 7 A. She said that they were -- if I died,
 8 they'll make money off me.
 9 Q. But that's what she said, not in the
 10 papers?
 11 MR. VILKER: Objection.
 12 A. I think so. I don't know.
 13 MR. FLANDERS: That's all we have.
 14 VIDEOGRAPHER: The time is 2:05. Off
 15 the record.
 16 (Off the record.)
 17 VIDEOGRAPHER: Going back on the record.
 18 MR. MacFADYEN: For the reasons
 19 previously stated in the Wiley deposition,
 20 Mr. Hanrahan has no questions of this witness.
 21 MR. TRAINI: Same is true of
 22 Mr. Maggiacomo, for the same reasons that
 23 Mr. MacFadyen stated in the Wiley deposition.
 24 MR. VILKER: And the government has no
 25 redirect. We're done.

1 VIDEOGRAPHER: The time is 2:05 and the
2 deposition is concluded. We are off the record.
3 (Adjourned at 2:05 p.m.)
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1 WITNESS SIGNATURE
2 DEPOSITION OF:
3 EDWIN RODRIGUEZ
4 OCTOBER 5, 2009
5
6

6 I hereby certify that I have read the
7 foregoing transcript and the same contains a true
8 and accurate recording of my answers to the
9 questions therein set forth, subject to the
10 change(s) and/or correction sheet(s) attached.
11
12

12 SIGNATURE OF DEPONENT

13
14 STATE OF _____
15

16 Subscribed and sworn to before me
17 this _____ day of _____, 2009.
18

18 NOTARY PUBLIC

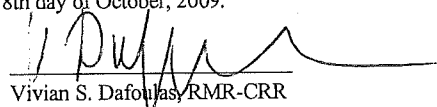
19
20 (My commission expires: _____)
21
22
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24
25

1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
2 KENT, Sc.
3

4 CERTIFICATION

5
6 I, VIVIAN S. DAFOULAS, do hereby certify that
7 I am expressly approved as a person qualified and
8 authorized to take depositions pursuant to Rules
9 of Civil Procedure of the Superior Court,
10 especially but without restriction thereto, under
11 Rule 30(e) of said Rules; that the witness was
12 first sworn by me; that the transcript contains a
13 true record of the proceedings.

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand this 8th day of October, 2009.

16
17 
18 Vivian S. Dafoulas, RMR-CRR

18 Notary Public

(401) 885-0992

19 (My commission expires 1/4/2010.)
20
21
22
23
24
25

1 CORRECTION SHEET

2
3 DEPOSITION OF:
4 EDWIN RODRIGUEZ
5 OCTOBER 5, 2009
6

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16 PAGE # LINE #

17 NOW READS: CORRECTION REQUESTED: